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Independent analysis of politics and government

Rookies of the Year

November Initiative Wars

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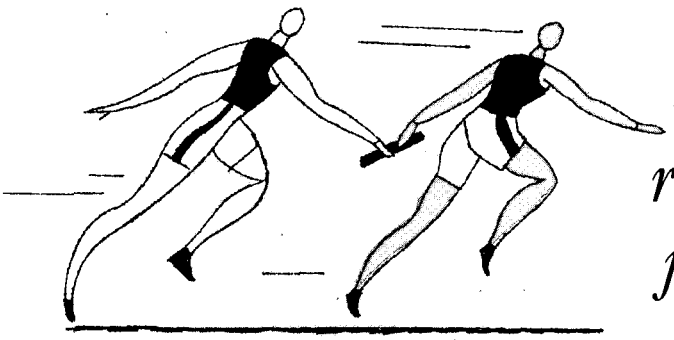

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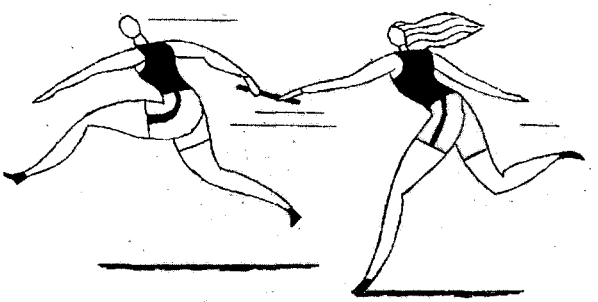

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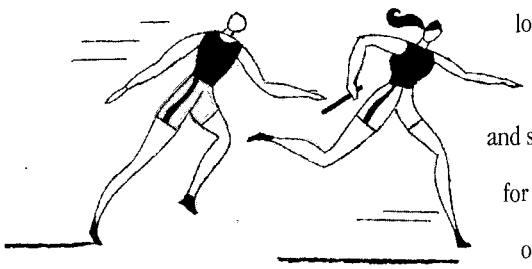

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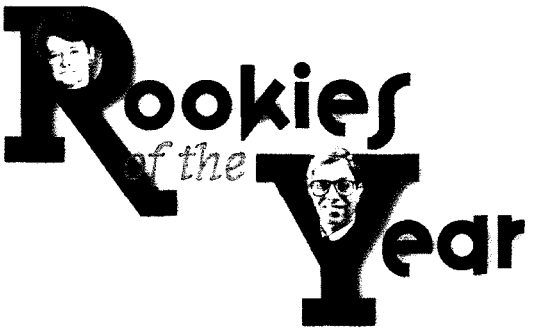

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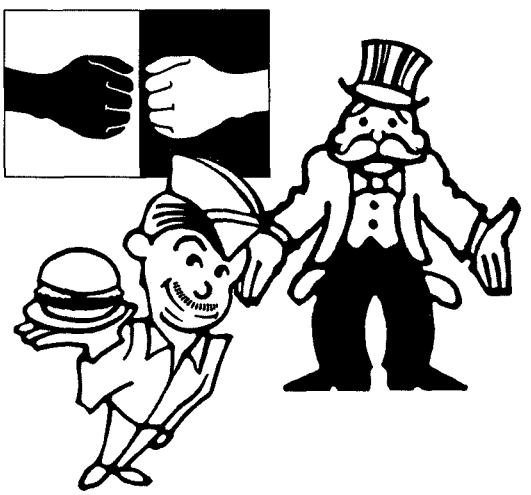
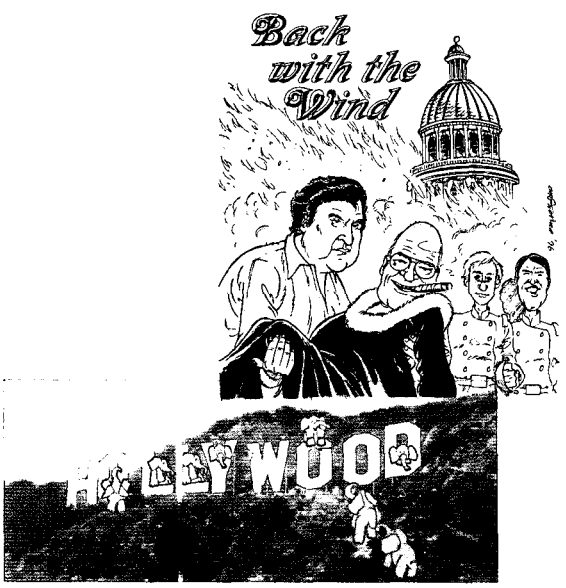
Rookies of the Year
According to a regiment of lobbyists and legislative staff, Los Angeles Democrat Sheila Kuehl and Fresno Republican Charles Poochigian are the cream of a large class of freshman lawmakers.
By A.G. Block and Kathleen Les



special insert
November 1996 Ballot Booklet
California Journal's analysis of the 15 measures that go before voters this November. Included in the group are 12 initiatives: among them, three generated by the ongoing war over tort reform; two designed to regulate health-maintenance organizations; two prompted by the effort to enact campaign-finance reform; and measures that will raise the state's minumum wage, restore higher income-tax brackets for the wealthy, and allow medical use of marijuana. Finally, there is Proposition 209 — a controversial measure that some say could gut many of the state's affirmative-action programs.



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Upfront umbrage

Trivia questions. What cost California taxpayers $18 million to buy? What cost taxpayers $50 million to install and tweak? What is California proposing to give away to the person with the biggest dump truck? The answer to all three is the same: the Department of Motor Vehicles supercomputer, shut down a year ago when it became apparent that all the king's horses and all the king's technoweenies couldn't make it work. Possible donee — according to *The Sacramento Bee*, it's the Contra Costa County Sheriff's Department, which will use the computer to track prisoners in its jail and court system. And if the DMV saga has you shaking your head, wait a few years. If the state couldn't figure out how to make this computer work, how is it going to deal with the fact that the turn of the 21st century is less four years away — and no computer in the world is equipped to deal with dates that begin in the year 2000? Abacus and note pad, anyone?

Pyramid to the stars. The mug shots didn't look as though they belonged to your typical felon. In fact, they mostly looked as though they belonged to upstanding citizens of any community. Which they did, by the way. The locale was Palm Desert, and the mug shots were those of the president of the local community college, a former superintendent of the school district, a current school-board member and the executive director of a local theater that featured an ex-president of the United States as chairman of its board nominating committee. Those four — and five others — recently were arrested in Palm Desert for operating what the *Orange County Register* called an "endless chain scam known as 'Friends Helping Friends.'" According to the paper, the scheme is a pyramid game where participants buy in for as much as $2000, then are pushed to the top of the pyramid by recruiting other players, who also buy in and recruit players ... yaddi yaddi yaddi. Once at the top, players are pushed off the pyramid, collecting as much as $16,000 as a buy-out. Apparently, reports the *Register*, the game was widespread in Palm Desert, involving everyone from College of the Desert President David George to local UPS drivers. Arrests occurred after several complaints were lodged with the Riverside County district attorney by people who had lost money in the scheme. The DA's office then sent an undercover officer in to play. The nine people arrested — including George — were singled out because they used their positions as community leaders to recruit other players. Among others arrested, said the *Register*, was the executive director a a local theater who earned $150,000 a year guiding an organization supported by the likes of ex-President Gerald Ford, comedian Bob Hope, publishing magnate Walter Annenberg and cowboy star Gene Autry.

Slicing the salami. Want to create the thinnest slice of campaign intelligence? Your slicer just may be a new computer program called "Campaign Wargames," developed and sold by Campaign Data Center of South San Francisco. Don't be deceived by the name; this isn't a game. It's voter-targeting software and a campaign research tool that includes modeling features to slice and dice rolls of registered voters. Want to know how many single, Democratic women renters live in Redding? Want to know how many of them voted in March 1996? How many voted in March 1996 and November 1993? Want to know how many of those women have Hispanic surnames? Want ... well, you get the picture. Want to know how many of them are likely to vote if November turnout is, say, 45 percent? How about 62 percent? "Wargames" uses voter-registration data and was developed by direct-mail folks Tony Fazio and Kevin Reilly. Political consultant Mike Semler also is involved. Want a sample? Hit the Net at http://www.campwargames.com/wargames/ and run a test drive.

Election fashion parade. A group of Southern California artists has come up with a line of vests to reflect the election season, although we're not sure you'd want to wear one on the street, for the back of each vest is a target. The back also contains a title, such as "The Queer Vest," or the "Roe vs. Wade Vest" or "The James Brady Vest." The front is some sort of artistic rendition. For example, the front of "The 1972 Vest" is a tie-dye design, while the front of "The Democracy Vest" bears a gold lame pattern of coins. The entire line is called "friendly fire," so each vest also contains the outline of a bullet in a patch over the heart. The clothing is part of an exhibit called "Friendly Fire" presented by the Museum of Contemporary Art in Los Angeles.

Alger-non. Assemblyman Marilyn Brewer (R-Newport Beach) was relating the story of her life to lobbyists and others attending the recent Institute of Governmental Advocates conference in Tahoe, explaining how she had been a successful businesswoman and had raised four children. Her life, she said, was a "typical Alger Hiss story." When the laughter died down, Brewer corrected herself: a typical Horatio Alger story, she meant.

On the move. Senator Tom Hayden (D-Los Angeles) wants it known that he no longer is a resident of Santa Monica but has moved to the Los Angeles portion of his 23rd Senate District. "I wanted to make my residence [in Los Angeles] ...," Hayden said last month, "to better learn about and serve my community." Unsaid is what many believe is the real reason Hayden moved — to run for mayor of Los Angeles next year.

Joe McCarthy's briefcase. They have here in this report, the exact number of arrests made by the Los Angeles Police Department in 1994: 175,555, as reported by the department to the mayor and police commission. No, wait. Uh, it's 191,596, as reported by the department

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A.G. Block

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Steve Scott

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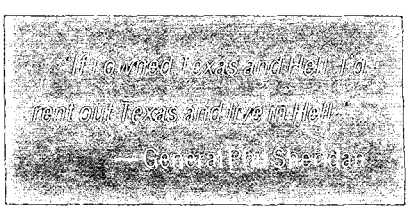
to the Police Commission's special counsel. In fact, the *Los Angeles Times* reported recently, the department seems to have only a vague idea of the number of arrests, for it has supplied conflicting arrest figures to the mayor and special counsel in five of the last six years. Only in 1995 did the numbers match (189,191). Attempts to explain the discrepency, the *Times* reported, were somewhat convoluted.

With friends like these. "Rock the Vote" is the MTV-sponsored effort to get young people to register to vote for the fall election. Well, last month, Secretary of State Bill Jones praised the effort. "I applaud the efforts of Rock the Vote ...," Jones said in a press release. "As the chief elections official for the State of California, I am pleased to support this important program." Jones also announced that his office would pay the return postage for every California registration received through an 800-number phone line set up by Rock the Vote. Not every member of Jones' party is so enamoured of Rock the Vote, however. At the same time Jones was praising the program, *the weekly Standard*, a conservative magazine edited by William Kristol, slammed Rock the Vote as a tool of liberal Democrats, outlining a litany of sins that included the presence of White House consultant George Stephanopoulos at a RTV rally and the introduction at the same rally of Representative Richard Gephardt (D-Missouri) as "the next speaker of the House." The magazine also pointed out that the key staffers at Rock the Vote worked for Democrats such as Bill Clinton and former Texas Governor Ann Richards. It's executive director, reports the *Standard*, is Ricki Seidman, former legal director of the left-leaning People for the American Way who also worked on Clinton's 1992 campaign.

Safety gap. You can't swing a dead cliche these days without running into a story about the growing gap between the haves and have-nots, so here's another one. According to a State Bar task force, one of the things the have-nots have not is access to legal help in civil cases — those involving jobs, social services, consumer complaints, housing and domestic disputes. The Access to Justice Working Group, a bar task force that opened for business in 1993, reported last week that three out of every four poor families face those civil problems without the chance of obtaining a lawyer. It blamed the situation on cutbacks in funding for the federal Legal Services Corp. and suggested that the difference be made up with new taxes on lawyers' fees, court filing fees and damage awards. The report estimated that $260 million a year is needed to fully fund civil court needs for the poor and that only $100 million is available from all sources, including *pro bono* work.

Familiar face. The elderly woman whose image graces the front of a brochure on behalf of Proposition 215 seemed vaguely familiar — right down to the silver hair and double strand of pearls around her neck. Could it be ... Barbara Bush? Proposition 215 would legalize marijuana — not exactly a cause one suspects is near and dear to the former first lady's heart. Well, according Dave Fratello, a spokesman for the pro-215 campaign, the photo is not of Barbara Bush but of an actress. The brochure was put together by a Washington, D.C., firm — Campaign Design Group — which Fratello says took the photo from a book of stock photos. It was not designed to confuse people into thinking that Barbara Bush supports the initiative ... he says.

Another Clayton. Rookie Assemblyman Howard Kaloogian (R-Carlsbad) thought he had disposed of the Clayton family during the March primary when he defeated Dolores Clayton by more than 9000 votes. But the Claytons are not so easily discouraged. Now comes Fred Clayton, Dolores' husband, who last week turned in enough signatures to qualify as an independent candidate in November. Fred Clayton, who lost to Kaloogian back in the 1994 GOP primary in the 74th District, felt victimized during that contest by a last-second hit piece from the Kaloogian campaign. During a news conference to announce that he had qualified for November, Fred Clayton grumped to the *San Diego Union-Tribune* that the Republican Party had been taken over by "right-wing religious fundamentalists." Clayton and Kaloogian will share the November ballot with Libertarian Douglas Webb. There is no Democratic candidate.



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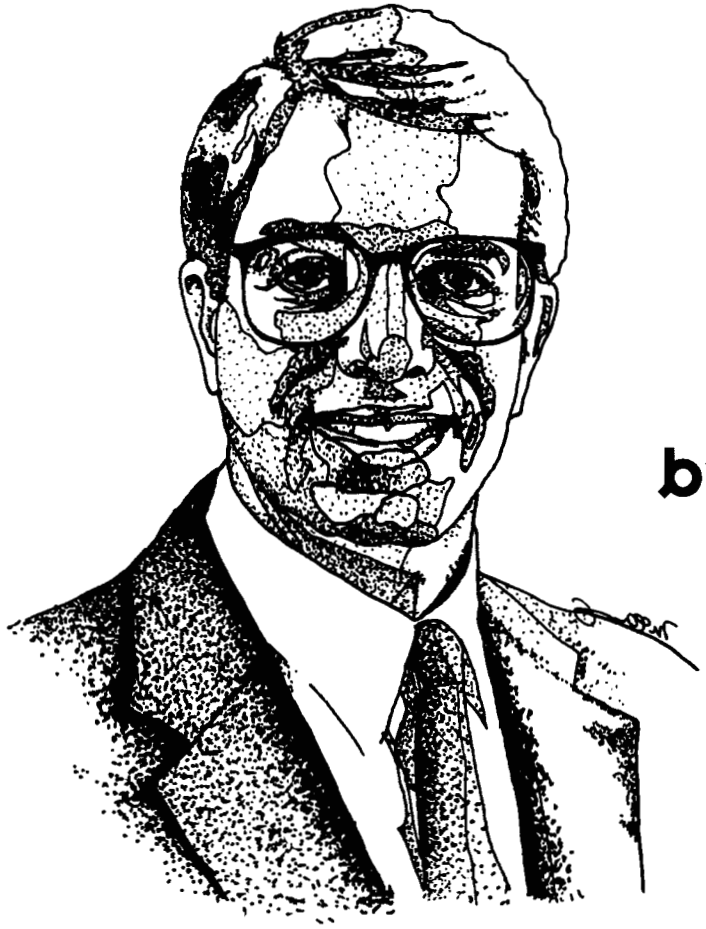
Rookies of the Y



Illustrations by Meg McAneny

by A.G. Block and Kathleen Les

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dr

Democrat Sheila Kuehl and Republican Charles Poochigian emerge as the top rookies in a California Journal survey of Captol insiders.

In June 1994, when *California Journal* revived an old tradition and named a legislative "rookie of the year," the lawmaker singled out for the honor was an aggressive lawyer from Palm Desert — Democrat Julie Bornstein. Bornstein was the consensus choice from a 32-strong class that had been the first group elected under term limits. The bevy of lobbyists, staff and legislators interviewed during the selection process touted Bornstein for her intelligence, her knowledge of the legislative process, her ability to cut a deal and to find solutions to often complex problems. Many of those insiders thought she had the talent and savvy to become speaker.

Unfortunately, Capitol insiders don't vote in the 80th Assembly District, where Bornstein was defeated for re-election that November by Republican Jim Battin. And although Bornstein featured her *CJ* accolade in campaign literature, so, too, did Battin, who cited it as proof that his Democratic opponent was a Capitol player with cozy ties to former Speaker Willie Brown

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Jr. (D-San Francisco). In some ways, *CJ's* honor proved to be a kiss of death for Bornstein.

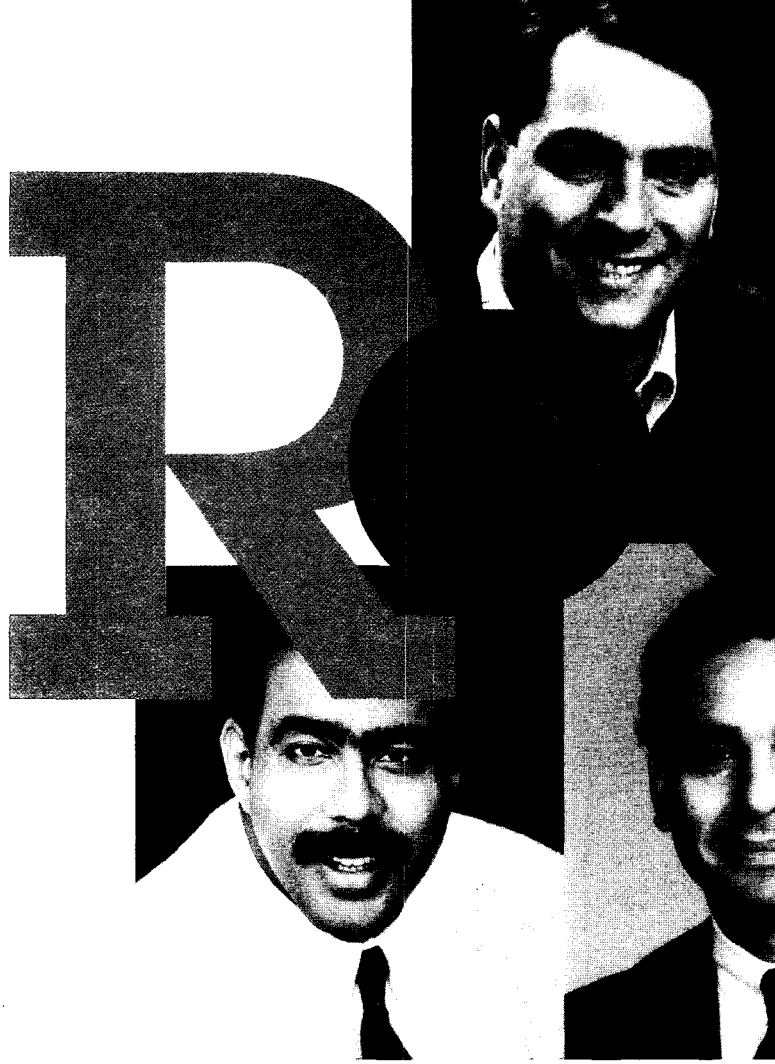
While Bornstein attained star status, another rookie from that class was buried under the designation "utility players." Few observers considered conservative Curt Pringle (R-Garden Grove) as leadership material, and no one thought he might wind up as speaker. Of course, only the most daring prophet would have predicted the circumstances that brought Pringle to power: Republican control of the Assembly in the '94 elections and the subsequent failure of the architect of that victory — then-Assembly GOP Leader Jim Brulte (R-Rancho Cucamonga) — to win the speakership for himself.

Two years later, however, star slugger Julie Bornstein is back practicing law in the southern desert, while bench player Curt Pringle is swinging heavy lumber as the real heir to Speaker Brown. The juxtaposition of those two careers serves to illustrate the uncertain nature of any assessment of legislators. Nevertheless, at that moment in time, Bornstein was considered the best. Now, a regiment of lobbyists, staff and legislators have helped us to determine who among the Legislature's current freshman class — four senators and 35 assemblymembers — is a cut above their peers.

And given Bornstein's fate, that ought to cause a few sleepless nights among the rookies.

First, we concentrated on the Assembly and its enormous class of 35 rookies. We wanted to know who is bright and who displays a strong grasp of issues and of the legislative process. We also wanted to know who has leadership potential. And we asked lobbyists whom they would trust to carry their most important bills. We did little prompting, instead waiting for respondents to offer their top choices, and for a comment or two to explain their selections.

Although many from the group were seen as bright and deserving, eight members emerged as the class of the class. There are two designated as top rookies and six more in what many observers referred to as the "second tier." Both sections are presented alphabetically, with a synthesis of comments about each member and one full — and yes, anonymous — quote about each.



top of the class:

Sheila Kuehl (D-41)

Near consensus as the top Democratic rookie ... teenage actress in '50's-'60's television series "The Many Loves of Dobie Gillis," playing a brainy student named "Zelda Gilroy" ... law professor who founded the California Women's Law Center ... represents West Los Angeles, including Santa Monica and Woodland Hills ... replaced Democrat Terry Friedman ... Legislature's first openly gay member ... vice chair of Assembly Revenue and Taxation ... finished second among rookies and fourth overall in *California Journal's* ranking of lawmakers this past February ... regarded as the brightest member of the freshman class, if not the entire Assembly, and also one of the hardest working ... a quick study on any issue ... articulate speaker during floor debates but also respectful of those not up to her level... seen by lobbyists as a good author, although some concede that her staunch liberalism makes her a lightning rod for Republicans ... occasionally seen as unwilling to compromise in order to broker deals, but most observers feel she has shown an ability to work with Republicans if not always to pull votes from their side ... has demonstrated leadership skills by her ability to educate people about an issue and get them moving forward with it ... has sophisticated knowledge of the legislative process that belies her rookie status ... personally good natured, even when losing on most issues, although less so on issues close to her personal or philosophical core, such as efforts to ban same-sex marriages ... seen as compassionate advocate for the poor ... her credibility and word are beyond reproach ... could be a future leader if she isn't hampered by the two "Ls:" liberalism and lesbianism.

"Just a smart, articulate lady who understands policy and has an ability to listen and comprehend. You feel like there's somebody there who can hear."

Charles Poochigian (R-29)

At the top of everyone's list as the top Republican rookie ... deputy appointments secretary for former Governor George Deukmejian; appointments secretary for Governor Pete Wilson, which gave him a head start on other rookies ... grew up in a San Joaquin Valley farming family, then earned a law degree at Santa Clara ... chairman of Assembly Appropriations and regarded as having done an exemplary job in a tough committee ... finished third among rookies and fifth overall in *CJ's* ranking of legislators ... replaced Republican Bill Jones, who became secretary of state ... seen as respectful of the legislative process and as going out of his way to make sure that everyone has a chance to participate

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... although conservative, will look at issues independent of party line ... understands the Capitol and the interactions among members and factions ... seems to want to find the best way to accomplish a particular end and always has his eye on the long-term impacts of legislative actions ... hard worker who some say takes his job too seriously at times, although also regarded as personable and thoughtful, with a surprising sense of humor ... seen as straightforward — says what he thinks, then sticks to it ... has demonstrated the skills to create cross-party coalitions ... has the intellectual honesty and credibility to take positions not always popular with constituents or his own caucus and the capability to explain his actions .. close to Wilson and is seen by some as not drawing enough distinctions between himself and the governor ... has authority and power, but knows how to accomplish something with it.

"He is one of the brightest, most level-headed, public-oriented legislators seen around this place for a long time."

the other stars: (in alphabetical order)

Tom Bordonaro Jr. (R-33)

The Legislature's only lawmaker who uses a wheelchair ... businessman and partner in ranching, construction and bookkeeping operations ... chairman of Assembly Human Services ... replaced Republican Andrea Seastrand, who was elected to Congress ... represents coastal district that includes Pismo Beach and Morro Bay ... seen as willing to take on tough issues such as welfare reform, which he handled in a professional manner ... very conservative but is willing to work to fashion solutions and cut a deal ... bright and dedicated, he gets along well with Democrats.

"He looks at an issue with intellectual honesty, and he'll go out and fight for an issue he believes in even though it isn't his bill."

Denise Ducheny (D-79)

Lawyer in private life ... trustee for the San Diego Community College District ... vice chair of Assembly Budget ... replaced Democrat Steve Peace who was elected to the Senate ... seen as having done an exceptional job on the budget, although some believe she is too quick to reach a compromise ... will take on controversial issues ... a hard worker who has shown a willingness to learn both issues and process ... assertive, with the energy level and ability to make something happen.

"She understands politics and has great motivation when she commits. I would be real worried if she was carrying a bill I didn't like."

Kevin Murray (D-47)

Entertainment lawyer and son of Assemblyman Williard Murray Jr. (D-Paramount) ... serves on Assembly Rules ... replaced Democrat Gwen Moore, who ran unsuccessfully for statewide office ... represents an urban Los Angeles district that is one of the most Democratic in California ... seen as bright and a quick study on issues ... regarded as a sound political strategist who understands the real legislative process ... chided for not always paying attention and for occasionally forgetting a commitment ... ambitious to the point of being overbearing but seen as leadership material if he can mature ... credited with looking beyond partisan politics because he understands the art of the deal.

"I've never seen a member come in as young as this guy and understand and articulate complicated issues."

Keith Olberg (R-34)

A lobbyist who also worked for the Reagan administration ... chairman of Assembly Natural Resources ... represents a high-desert district centered on the Victor Valley ... replaced Republican Kathleen Honeycutt, who retired after one term ... conservative and bright, seen as a quick study ... arrived with narrow agenda but has shown ability to grow with the job ... regarded as having strong personal integrity and willing to buck the GOP caucus to find common points with Democrats ... sometimes difficult to see and can be too intense.

"He hit the ground running and did a lot early on, but not much of it went anywhere. I think that was because they were issues with historical polarization more than any failing on his part."

Jim Rogan (R-43)

Municipal court judge and former Los Angeles County deputy district attorney ... served as GOP majority floor leader ... replaced Republican Pat Nolan after Nolan was

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convicted in the FBI sting ... represents suburban Los Angeles district centered on Glendale ... leaving the Assembly to run for Congress ... finished first among rookies and first overall in *CJ's* ranking of Assembly members ... regarded as the Legislature's rising star before deciding to leave ... bright, extremely articulate, with sense of humor that can diffuse tension during hearings or floor debates ... deals with highly charged issues in civil manner ... early on, seemed to seek balanced solutions, although his natural conservatism appears to have hardened since his decision to run for Congress ... to some, never developed a legislative interest beyond internal politics ... thorough, reasonable and fair.

"He can sort through the minutae and articulate an issue ... very clearly and put it all into the context of the rules of the house. He has an excellent grasp of the process."

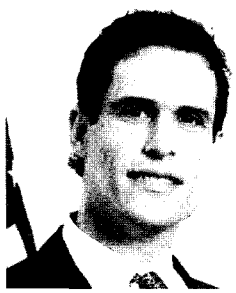
Antonio Villaraigosa (D-45)

Labor activist for teachers and government employees ... minority whip ... represents Boyle Heights-Washington Park section of Los Angeles ... replaced Democrat Richard Polanco, who was elected to the Senate, defeating Polanco's handpicked successor in primary ... a liberal who has shown a willingness to reach out to Republicans and the intellectual honesty to change his mind... passionate, energetic and smart ... knows how to play the media ... understands that personal relationships often are the key to legislative success and goes out of his way to cultivate those relationships ... may be hamstrung by his close association with labor and by his need to keep one eye on the internal politics of Los Angeles' Latino community.

"He's a liberal Democrat, but he tries to represent a moderate perspective and make things happen. He won't cast a vote just because it's part of the job. He casts his votes with intention."

[redacted]

How do you evaluate Assemblyman Brian Setencich's (R-Fresno) freshman term? On one hand, his rookie season was marked by spectacular success. He was, after all, the first freshman ever elected speaker of the Assembly — an achievement considered laughably impossible prior to the era of term limits (see *CJ*, January, February, April 1996).



On the other hand, his freshman term also was marked by equally spectacular failure. He was dumped as speaker after barely three months, his tenure marked by an inability to rally any Republican allies to his banner. In addition, he was sandbagged in own primary this past March by a political neophyte bankrolled by determined enemies who made no secret of their desire to get rid of him (see *CJ*, May 1996). Finally, he blundered badly on the basics of electoral politics. He failed to spend much of his $150,000 campaign treasury, even as the primary election slipped away, and he failed to crossfile as a Democrat, which ultimately denied him a place on the

the freshman class

Senate	P	SD
Rob Hurtt	R	34
Maurice Johannessen	R	4
Dick Monteith	R	12
Mike Thompson	D	2

Assembly	P	AD
Dick Ackerman*	R	72
Steve Baldwin	R	77
Jim Battin	R	80
Scott Baugh*	R	67
Tom Bordonaro Jr.	R	33
Marilyn Brewer	R	70
Jim Cunneen	R	24
Susan Davis	D	76
Denise Ducheny**	D	79
Liz Figueroa	D	20
Brooks Firestone	R	35
Peter Frusetta	R	28
Martin Gallegos	D	57
Brett Granlund	R	65
Phil Hawkins	R	56

Assembly	P	AD
George House	R	25
Howard Kaloogian	R	74
Wally Knox	D	42
Sheila Kuehl	D	41
Steven Kuykendall	R	54
Mike Machado	D	17
Bob Margett*	R	59
Kerry Mazzoni	D	6
Carol Migden*	D	13
Gary Miller*	R	60
Jim Morrissey	R	69
Kevin Murray	D	47
Keith Olberg	R	34
Charles Poochigian	R	29
Jim Rogan**	R	43
Brian Setencich	R	30
Michael Sweeney	D	18
Bruce Thompson	R	66
Antonio Villaraigosa	D	45
Tom Woods Jr.	R	2

* Elected after November 1994
** Elected prior to November 1994

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November ballot. If he is to return next year, he must win an expensive and tricky write-in campaign against a conservative Republican backed by the full weight and wallet of the California Independent Business PAC.

Still, Seteznicich earned kudos from a variety of sources, most praising his integrity and decency, and his loyalty to since-recalled Speaker Doris Allen (R-Cypress). They also expressed admiration for his toughness, even though his struggles with the Republican caucus crippled his effectiveness as a legislator.

"He was willing to stand up to the bullies. He believes that government is here to do good and that he is here to do the right thing. He's the kind of legislator that, if there were more of them, people would feel better about government."

A special case: Rob Hurtt (R-34)

The Senate has only four true "rookies:" Rob Hurtt (R-Garden Grove), Maurice Johannessen (R-Redding), Dick Monteith (R-Modesto) and Mike Thompson (D-St. Helena). True, there are 13 other first-term senators: Richard Mountjoy (R-Monrovia), Teresa Hughes (D-Los Angeles), Richard Polanco (D-Los Angeles), Jim Costa (D-Fresno), Ross Johnson (R-Fullerton), Tom Hayden (D-Los Angeles), Jack O'Connell (D-Carpinteria), Hilda Solis (D-Los Angeles), David Kelley (R-Hemet), Ray Haynes (R-Murrieta), Steve Peace (D-El Cajon),

Cathie Wright (R-Simi Valley) and Byron Sher (D-Palo Alto). But the aforementioned members all migrated to the Senate from the Assembly, where each had extensive legislative experience. Even Thompson is no tyro, having served on the staffs of several Assembly members prior to being elected to the Senate in 1993.

Of the remaining three — Hurtt, Johannessen and Monteith — only one stands out as having compiled a record of achievement. Rob Hurtt's impact on California politics began long before the Orange County businessman was elected to the Senate to replace Republican Ed Royce, who had moved on to Congress. Hurtt is one of the founding members of California Independent Business PAC (ne, Allied Business PAC), and the marriage of their bankroll with his political ambition and aggressiveness is generally credited with revamping the face of the Republican Party and of the Legislature. Last year, although still a freshman, he put together the votes to depose longtime Minority Leader Ken Maddy (R-Fresno) and become the undisputed leader of Senate Republicans.

"He has a better grasp of issues than people think he does, but I don't think he cares about issues. He does not appear to be interested in policy or process."

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Southern Exposure

perspective

by Sherry Bebitch Jeffe

Rookies

They will lead the California Assembly to the brink of the millennium and then they are outta there. They are the Class of 2000 — 35 freshman members, mostly elected in 1994, when the Assembly went Republican for the first time in a quarter-century. Almost two-thirds of them represent districts in the south state — where about 60 percent of California's population resides. According to a recent Common Cause study of the top 20 legislative recipients of campaign contributions last year, four were freshmen — all Republicans — and three represented southern districts.

Don't numbers like these suggest the next generation of Assembly leadership will likely tilt toward Southern California? Not necessarily. Most observers agree that regionalism will play a role in shaping policy, particularly on issues — such as water and transportation — that are crucial to the south. But demographics, timing and term limits have turned legislative leadership into a game of Russian roulette at a time when geography is fading as a force in state politics.

A freshman could take the reins as the next speaker of the California Assembly. It would be more likely if the Democrats regain control. As one Sacramento insider explained it, with the ascension of Speaker Curt Pringle (R-Garden Grove) and Speaker pro Tem Fred Aguiar (R-Chino), "Republicans passed the torch to the [current] sophomore class" — Assembly members who are termed-out in 1998.

Democrats, on the other hand, turned to Richard Katz of Sylmar, a member of the "senior class" — lawmakers termed-out this year — to succeed departing Democratic leader Willie Brown. Speculation is that Katz' position reflects a reluctance on the part of the large freshman class — about one-third of the Democratic caucus — to cede power to a current sophomore, who might hold sway for up to three years. That dynamic, says one Sacramento observer, helped doom the challenge of sophomore Cruz Bustamante (D-Fresno).

Bustamante and other Latino caucus members may find themselves at a continuing disadvantage in leadership contests because of the factional conflicts that now define Latino politics — particularly in the south. Bustamante is aligned with a faction which includes Los Angeles state Senator Richard Polanco, Art Torres and Los Angeles City Councilman Richard Alatorre that is locked in an on-going struggle for political dominance with another faction, headed by Los Angeles County Supervisor Gloria Molina and Congresswoman Lucille Roybal-Allard. Any attempt by a member of one faction to consolidate legislative power is likely to be fought by the other. Assembly wags have labeled Democratic sophomores "the lost generation." But there is no dearth of speculation on freshman candidates for leadership. Among those mentioned are Carol Migden of San Francisco, Sheila Kuehl of Santa Monica, and Kevin Murray of Los Angeles.

Among Republicans, freshman James Rogan of Glendale was touted as leadership material, but he's leaving the Assembly to run for Congress. Other freshmen being chatted up as future GOP leaders include Keith Olberg of Victorville and Charles Poochigian of Fresno. However, the current frosh could find their path to power blocked.

If Republicans retain Assembly control, betting is that Pringle will remain speaker through his last term — unless he is deflected by a run for Orange County supervisor or statewide office in 1998, when the current crop of freshmen reach senior status. How many, faced with the prospect of being termed-out, will spend their last term running for another office?

Don't overlook the possibility that leadership will come from the generation yet to be elected. The class of 2002 will have a number of members with local government experience who, until term-limits began to clear the Sacramento deck, were forced to hold in place. Republican candidates include Kern County Supervisor Roy Ashburn, Lancaster Mayor George Runner and Rod Pacheco, a deputy district attorney contesting an open Riverside County seat. On the Democratic side, the incoming class will include a group of candidates referred to as the "quasi-elected," because they already have cleared their highest hurdle — the primary — and know their way around the Capitol. Among them are Alameda County Supervisor Don Perata, San Francisco County Supervisor Kevin Shelley, Sacramento City Councilwoman Deborah Ortiz and Rod Wright, a seasoned political operative and former staffer for Congresswoman Maxine Waters. Several former legislators also may return (see page 36).

Clearly, the pool of former legislators who can return under term-limits will shrink. Less clear is whether the likely influx of new lawmakers with local government experience is a one-time phenomenon or a sustaining pattern. Regardless, such freshmen are more equal than others — in terms of fund-raising ability, name recognition and knowledge of the Byzantine ways of California politics.

The bottom line is that no one really knows who will be speaker next year, or what leadership will look like down the line. It could mimic the "collegial" speakership of the '40s and '50s — before Jesse Unruh consolidated institutional and personal power. Then, as it appears today, clout was transitory and diffused. In the vacuum created by Brown's exit, said one Sacramento observer, "there are a minimum of about a dozen different power centers on the Democratic side."

Republican leadership remains more clearly defined by an ideological consistency, which has driven the GOP caucus since the election of the "Prop. 13" babies in 1978. Within these parameters, future Assembly leaders will likely be selected on the basis of qualities that are important to each caucus at any given time. Will members want fund-raising prowess? A campaign pro? Will their goals require a conciliator? A slash-and-burn partisan?

When it comes to filling the top spot, the choice for speaker will depend, as it always has, on the ability of one member to amass 41 votes.

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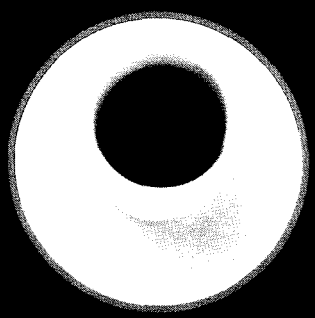

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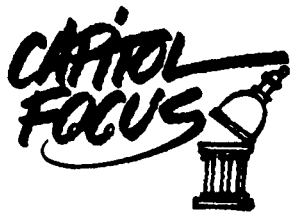

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Next Programs: 1. November 24-26, 1996 2. March 9-11, 1997 Fee: $200.

Previous participants in our statewide flagship programs have been sponsored by local businesses, state and local elected officials; service clubs; school districts, individuals and parents; or statewide corporations and associations who support youth and good government. Program fees include lodging, two meals a day, and program materials, but not transportation to Sacramento. You can help expand participation by identifying participants and a potential sponsor, or agreeing to sponsor one or more participants yourself from the school or community of your choice.

TO SPONSOR OR ENROLL PARTICIPANTS, OR FOR MORE INFORMATION, PLEASE CONTACT:
Richard Rios, Statewide Program Director
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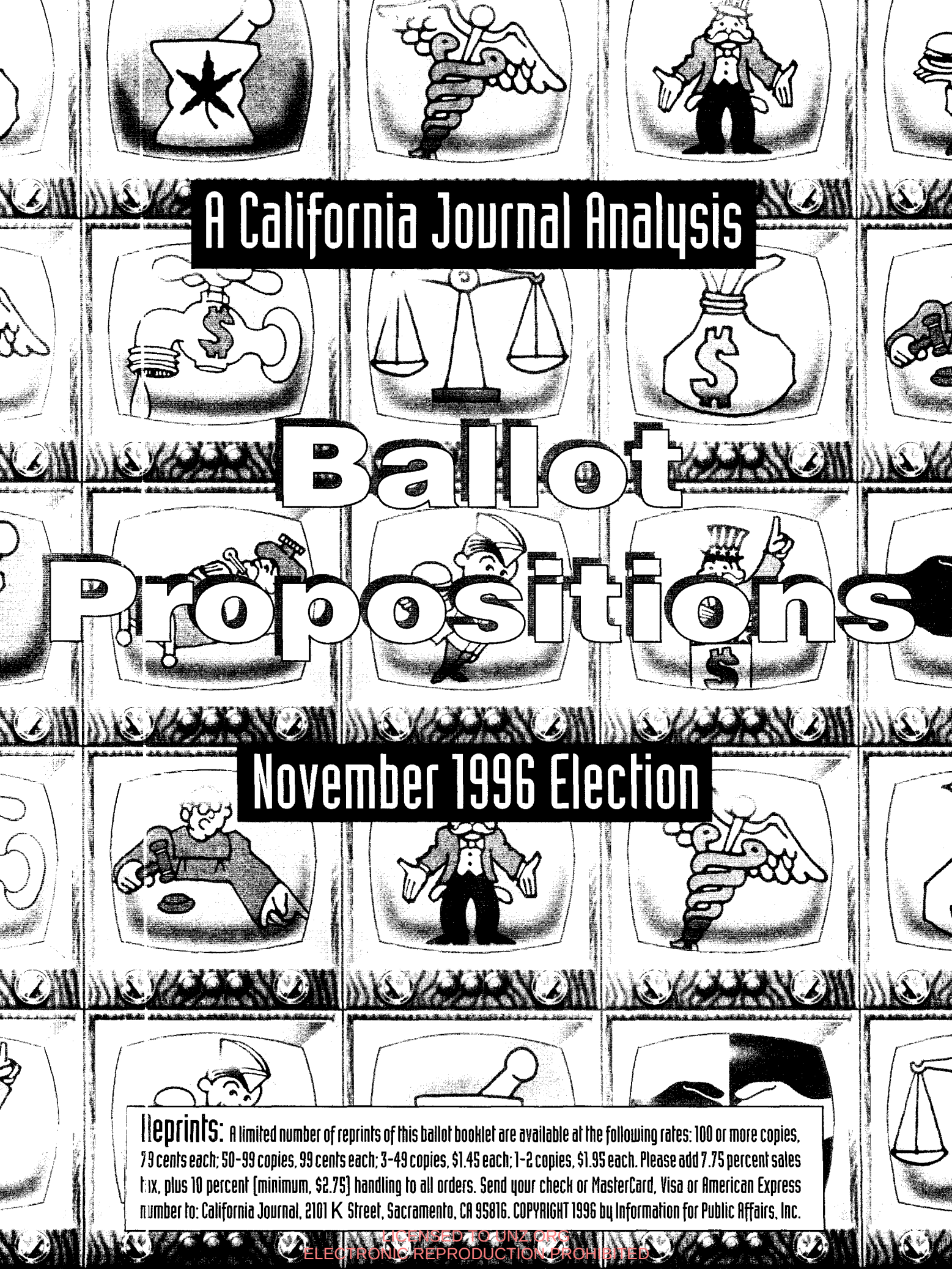

A California Journal Analysis

Ballot Propositions

November 1996 Election

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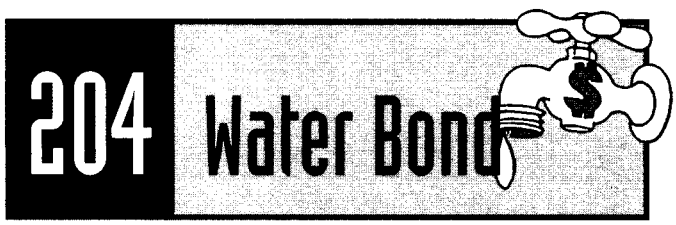
The big ballot

The 1996 elections have seen a revival of sorts for ballot measures, with 12 appearing this past March and 15 more on the November ballot. The current crop — 12 initiatives and three bond proposals — includes a number of controversial measures over such issues as affirmative action, HMO regulation, campaign reform and the ability of stockholders to sue corporations. Several likely will generate expensive campaigns, especially those involving tort reform and HMOs. To better understand the relationship between various initiatives, we have grouped the propositions according to subject matter rather than present them in order by their ballot number.

Proposition numbering

In 1983 the Legislature passed a law requiring that ballot measures be numbered consecutively from election to election, starting with November 1982. Previously, each election got its own set of proposition numbers starting with 1. But the system proved confusing. If you refer to "Proposition 13," do you mean the tax-cutting proposal of 1978 or the water-conservation proposal of 1982? 203 propositions have appeared on various ballots, thus the current crop begins with 204. It will continue this way for 20 years, so the next "Proposition 1" will not be seen until 2002.



A legislative bond act to provide funds for water projects.

Background: This latest of the water bond acts may be the water bond to end all water bonds. With one hand it gives to the Bay-Delta some long needed wildlife restoration and enhancements, putting an end to the decades-old water wars, and with the other it gives generously to farmers and local water agencies around the state for a variety of projects. With nearly $1 billion in projects targeted for the Bay-Delta and local agencies around the state, it is by far the largest of any of the 11 water bonds passed since 1970 and is the most sizable investment in water infrastructure since the Central Valley Project was funded by voters in 1960. Environmentalists and water interests were able to shake hands and agree to this package of water projects enabling the federal-state (CALFED) partnership to finally go forward with funds to restore and improve wildlife habitat in the Bay-Delta. A federal cost-sharing agreement as well as an environmental impact report must be agreed upon by CALFED before bond monies can be expended on Bay-Delta projects. The Bay-Delta, the most significant source of water in California, provides drinking water for about 22 million people in the state, irrigates 45 percent of the fruits and vegetables for the entire country grown in California and is host to 80 percent of the state's commercial fishery species.

Proposal: Proposition 204 authorizes $995 million in general obligation bonds for a variety of water projects. Over half ($583 million) of the money is specifically allocated to Bay-Delta improvement and ecosystem restoration. The remaining $412 million is earmarked for a variety of wastewater treatment, water supply, water conservation and flood control projects. The bond money will be for expenditure by various state agencies and for loans and grants to local agencies. It is estimated that the total cost of the bonds will be $1.8 billion, including $776 million in interest from the state's general fund, with average payments for principal and interest of $71 million a year over a 25-year period.

Arguments for: An alliance of support from a variety of business, water and environmental groups was forged in support of 204. Most notable of these is the Association of California Water Agencies, California Chamber of Commerce and the Environmental Defense Fund. They argue that as California's population has increased, the water supply system has not kept up with the growing needs and a major investment is long overdue. They view Proposition 204 as a comprehensive and lasting solution to the state's water needs and point to a variety of benefits — ensuring safe drinking water, increased water supplies, prevention of water pollution, protection against floods, water conservation, protection of fish and wildlife and protection of water delivery

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systems against earthquakes. Proposition 204 is cost effective, they maintain, because it generates federal matching dollars to address state and local water problems.

Arguments against: The Libertarian Party, which traditionally opposes bond proposals, argues that the high cost of bonds nearly doubles the cost of projects. They also see a manufactured "water crisis" that makes the proposal unnecessary. They point to the fact that residential customers use only 15 percent of the water in California but subsidize and pay for the 85 percent used by agricultural and commercial customers. Regarding the Bay-Delta projects, they say it is the fault of government agencies that saltwater intrusion has occurred in the Delta and now taxpayers are asked to pay the cost of remedying the degradation problems that arose when water was diverted from Northern to Southern California.

A legislative bond act to provide funds for facilities to house juvenile and adult offenders.

Background: California's rising crime rate in recent decades, coupled with Californians' increasing fervor to "lock up" those who break the law, has resulted in a seemingly insatiable demand for more prison space. Voters have authorized $1.6 billion in general obligation bonds to expand county jail facilities since 1981. Since 1988 another $100 million in general obligation bonds has been approved to expand and build juvenile correctional facilities. On any one day in California, says the the Legislative Analyst's Office, 70,000 adults are in local jails awaiting trial or serving a sentence, and each year there are more than 50,000 juvenile offenders under the supervision of county probation departments. The California Youth Authority has identified the need for more than $350 million to upgrade and develop new juvenile facilities. Federal court orders have been issued in 27 counties to reduce overcrowding in county jails resulting in the early release of inmates. The LAO also reports that in 1995 more than 21,000 persons per month were released early from jails and that there will be a need for an additional 30,000 beds by the year 2000. The rising demand is attributed in large part to the "three strikes" law significantly increasing the number of inmates awaiting trial in local jails for a chance to argue against being charged with another "strike." In 1990 the last election with county jail and state prison bond measures, voters rejected both for the first time in a dozen years. As of press time, it was not yet known if a bond measure for state prisons would be approved by the Legislature for late inclusion on the November ballot.

Proposal: Proposition 205 provides for a $700 million in general obligation bonds to be shared evenly between local facilities for juvenile and adult offenders. The funds can be used for the construction, renovation, remodeling and replacement of local facilities to treat, rehabilitate and punish offenders. The total cost to taxpayers is estimated to be $1.25 billion, including $550 million in interest from the state's general fund, with average principal and interest payments of $50 million per year over 25 years. Counties would be required to provide 25 percent in matching dollars for facilities with the possibility of a legislative waiver. Monetary requests must be accompanied by a plan for dealing with prevention and detention of juvenile and adult offenders emphasizing alternatives to detention.

Arguments for: Proposition 205 is supported by the California State Sheriffs' Association, California Police Chiefs Association, California District Attorneys' Association and Crime Victims United. Supporters cite overcrowding in existing facilities as reason for needing more bonds to expand youth and adult correctional facilities. They say Californians are at risk as a result of criminals put back on the streets from 27 counties under federal court order to release criminals early to reduce overcrowding in jails. They attribute the increased demand for correctional facilities to what they see as the success of the "three strikes" law.

Arguments against: Again, the Libertarian Party of California argues that felons are the ones targeted by the "three strikes" law and they are housed in state prisons, not county jails (except if unable to make bail while awaiting trial). They argue that there are several ways to reduce the burden on local correctional facilities without providing additional space: Nonviolent criminals should be placed under house arrest and monitored electronically rather than imprisoned, possession of drugs should be eliminated as a crime thereby reducing the number of prisoners by half, and juvenile offenders should be moved to adult facilities when they reach the age of 18.

A legislative bond act to provide funds for the Cal-Vet loan program.

Background: Californians have handily passed 24 Cal-Vet bond measures since the program was established in 1921. The most recent of these in 1990 received the lowest passage rate in 30 years, but still enjoyed a comfortable 58 percent approval rate, even though other bond measures on the same ballot failed. The Cal-Vet program, which pre-dates the federal VA program, has provided assistance with over 400,000 home and farm loans for military veterans. Nearly $7.5 billion in general obligation bonds have been issued since the inception of the California program, with over half remaining from the most recent bond measure of $400

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million in 1990. The money is administered and loaned directly by the California Department of Veterans Affairs for purchase and resale of farms, homes and mobile homes to veterans. Repayment by borrowers includes the home purchase price, bond costs including interest, and administration of the program, which makes CDVA self-supporting. As declining real estate values have plagued California in recent years, CDVA has received a proportionate share of foreclosures, but has been able to absorb these with its existing pool of funds and through resales. In the event this is not possible, the state is under obligation to pay the difference though it is not expected that this will be necessary. The bill authorizing Proposition 206 for the ballot was carried by Senator Don Rogers (R-Tehachapi) and passed unanimously in both the Assembly and Senate.

Proposal: Proposition 206 authorizes the state to sell $400 million in general obligation bonds for the California Department of Veterans Affairs to provide farm and home loans to California veterans. The total cost of the bonds is estimated to be $700 million, including $300 in interest from the state's General Fund with the average payment for principal and interest about $28 million per year over 25 years. The CDVA projects this bond issue will accommodate an additional 2000 loans to California veterans.

Arguments for: Supporters come from all the major veterans groups, including the California Association of County Veterans Service Officers, as well as the California Association of Realtors. These groups point to the continued need of the Cal-Vet program to provide home and farm loans for the future military veterans in the state. They say Cal-Vet loans are a "financially sound way" to assist veterans with a program that has been self-supporting over the years while generating "thousands of jobs and millions of dollars in annual payrolls."

Arguments against: The Libertarian Party of California points to the high number of foreclosures in California's rocky real estate climate of recent years, which it argues could put the program in jeopardy if this trend continues. With opportunities in recent years to purchase new homes with smaller required down payments, it argues that the Cal-Vet program is less competitive than it used to be. Lastly, opponents say the Cal-Vet program duplicates the federal VA program, which should be enough to serve military veterans with assistance in home purchases.

— *Kathleen Les*

Background: If the expensive business of tort reform was cast as a volleyball game, the March ballot would have been the business team's serve — and they blew it. Propositions 200, 201 and 202 attracted millions of dollars from Silicon Valley firms and other businesses seeking to limit so-called "strike suits," as well as to cap attorneys' contingency fees and institute a system of no-fault car insurance. Tort lawyers spent their own millions to defeat the three, and were ultimately successful in killing them all (see *CJ* February, May 1996). November now finds the ball in the trial lawyers' court, with two of three tort-related initiatives written and strongly backed by attorneys' groups.

Only one of the three was born directly out of March's battle. What is now 207 started as an attempt by the state trial lawyers' association to blunt the impact of 202, which would have capped contingency fees — payments based on a percentage of any final settlement. Its counter-measure, which protects such fee arrangements, was unable to gather signatures quickly enough to make the March ballot but qualified not long afterward. Although the business-backed 202 ultimately failed, trial lawyers argue that legislative efforts to limit fees justify continuing their initiative campaign.

The other two November initiatives grew out of the more global tort-reform battles being fought in Sacramento and Washington, D.C. One of the most significant recent victories won by business-backed reformers was last year's congressional overhaul of securities litigation law. The bill, supported by both Republicans and Democrats, made it more difficult for shareholders to file lawsuits alleging corporate stock fraud. Business supporters, who had made the issue one of their top priorities, said the bill would cut down on opportunistic "strike suits" targeting companies with volatile stock prices. President Bill Clinton vetoed the measure, but Congress overrode him. The new law governed only federal lawsuits, however, while securities cases can be brought in either state or federal courts. A ballot proposal, heavily funded by San Diego tort attorney William Lerach and other plaintiffs' lawyers, would block federal-type reforms at the state level and make it far easier for shareholders to file stock fraud suits and win in California state courts. This became 211, and its supporters rounded up early labor and senior group endorsees, casting the initiative as a bid to protect the savings of retirees and retirement funds. Lerach and other trial lawyers are some of the state's biggest contributors to Democratic Party coffers, so they managed to win the support of the state party over the strenuous objection of moderate and Silicon-Valley area legislators.

But the coalition of business groups that supported the March initiatives, anchored by deep-pocketed Silicon Valley firms, has regrouped to make the defeat of Lerach's initiative its highest priority. A national campaign has been mounted, since out-of-state companies could be subject to the new law if they have even one in-state shareholder. This translates into big dollars arrayed against the measure. Out-of-state trial attorneys are supporting it, however, since it would provide an extremely friendly venue for their shareholder suits. Many observers predict a $30 million campaign.

Proposition 213 — which deals with the ability of drunk drivers to sue — arises from a battle between Insurance Commissioner Chuck Quackenbush and legislative Democrats, who refused to pass a bill mirroring the proposition last session. Quackenbush began gathering signatures when his

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legislation was stuck in the Assembly; after the newly ascendent lower house GOP passed the measure this year, he tried to use the signatures as leverage with Senate Democrats, but they wouldn't budge.

Proppsition 207

An initiative statute that protects an attorney's ability to charge contingency fees.

Proposal: Proposition 207 would protect attorneys' ability to charge virtually unlimited contingency fees and make it difficult for the Legislature to put a cap on such fee arrangements without seeking voters' approval. It would prohibit lawyers from charging "excessive" fees, as determined by a judge and would strengthen court sanctions against attorneys who file three "frivolous" lawsuits within five years.

Arguments For: The Consumer Attorneys of California — the trial lawyers' association — argue that contingent fee arrangements are the only way some people can afford legal representation. The measure is necessary to protect such payments plans from legislative tampering, they say. While courts already have the ability to fine attorneys who file "frivolous' lawsuits, proponents argue the measure would increase the disincentives to such suits.

Arguments Against: Opponents, including the Association for California Tort Reform and much of the business coalition that supported March's Proposition 202, argue that the initiative is a thinly veiled attempt by trial lawyers to protect their high fees, and will actually increase frivolous lawsuits by protecting attorneys' contingent fees.

Proposition 211

An initiative statute that regulates lawsuits filed in California courts by stockholders against corporations.

Proposal: Proposition 211 is a far-reaching package of measures governing securities lawsuits filed in California state courts, ostensibly geared towards protecting retirees and pension funds from corporate fraud. The measure would hold companies liable to any person who suffers stock losses as a result of fraud. This would make it easier for single individuals, rather than stockholders as a group, to bring suit against a company. The burden of proof would be shifted away from plaintiffs, who currently must prove they depended on a company's fraudulent information, such as that contained in a corporate prospectus, when buying stock. Instead, a legal doctrine called "fraud on the market" would be applied to such suits; shareholders could bring fraud claims based on a precipitous drop in a stock's market price, and the court would automatically assume the plaintiff had relied on any existing fraudulent information. Individual officials of the company — as well as lawyers, accountants or stockbrokers only tangentially related to the stock transactions — could be held personally liable for the full value of the suits, although liability insurance could be purchased against such an event. Under current law, only people directly involved in the buying or selling are subject to securities law. Punitive damages could be included in the fraud suit; such damages would go to the state's general fund, with the notable exception of legal fees and court costs. Finally, the measure would protect the ability of attorneys to set their own fees in any kind of case, not just securities fraud suits, requiring another vote of the electorate to change the law.

Arguments for: Proponents argue that the new federal laws have made it too difficult for small shareholders to recover damages in federal courts after being defrauded. They point to numerous cases of corporate financial shenanigans and outright fraud, and say that retiree and pension dollars must be protected against such wrongdoings. Originally funded and backed by San Diego securities lawyer William Lerach and other plaintiffs' attorneys, the measure has been endorsed by the state Democratic Party and a long list of labor, consumer and institutional investment groups.

Arguments against: Opponents argue that California courts would become a nationwide magnet for "frivolous" lawsuits no longer eligible for federal courts. They cite a study — dismissed as entirely biased by the pro-211 campaign — that argues the measure could cost state business more than $1.3 billion per year, and could send 159,000 jobs to other states over the next decade. The state GOP opposes the measure, as do a handful of Silicon Valley Democrats and Democratic state Controller Kathleen Connell. Both Clinton and Bob Dole have weighed in against the proposal, looking for the support of state business. The California Chamber of Commerce, the California Manufacturers Association, Silicon Valley businesses and national accounting firms all are allied with those seeking to defeat the initiative.

Proposition 213

An initiative statute that would limit the ability of uninsured or drunk drivers to sue after being in an auto accident.

Proposal: Proposition 213 would limit the ability of uninsured or drunk drivers to sue after being in an auto accident. Either would be able to seek damages for medical benefits, lost wages or vehicle damage but could not go for the potentially big-money "non-economic" damages such as pain and suffering. Uninsured drivers still would be able to sue if hit by a drunk driver. The measure also would prevent persons

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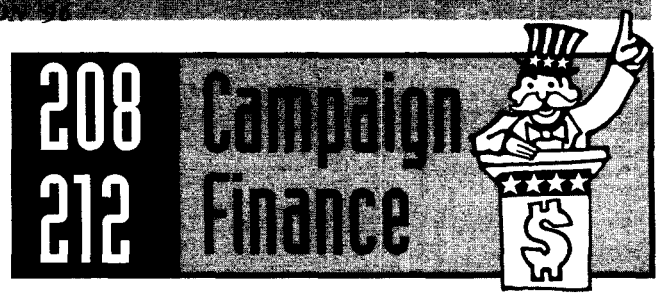
convicted of a felony from suing for damages or injuries sustained while committing or fleeing their crime. This provision would apply only if the losses were a result of some third party's negligence — felons would still be able to bring "excessive force" or similar cases against police officers.

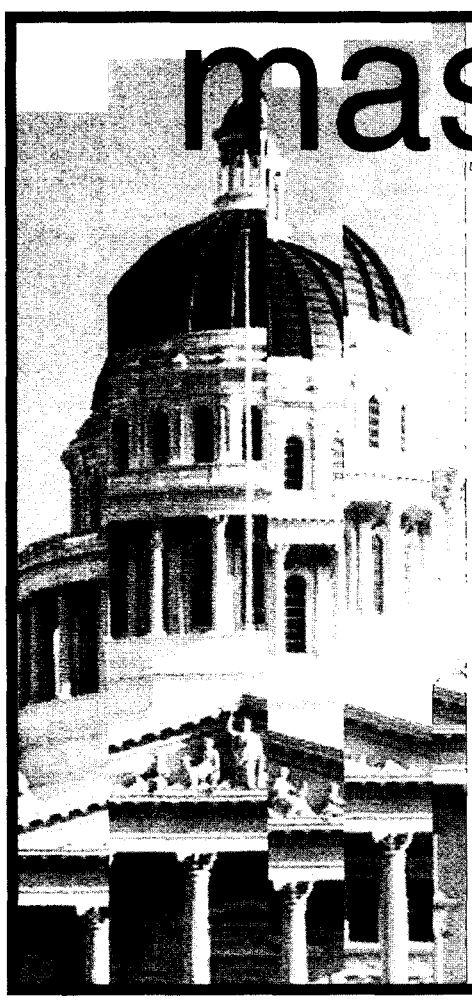
Arguments for: Proponents, led by Insurance Commissioner Chuck Quackenbush, argue that drunk drivers and the uninsured cost law-abiding policyholders millions of dollars every year. The proposal would save insurance companies money, they say, which would be passed along to consumers under the provisions of Proposition 103, as enforced by Quackenbush.

Arguments against: Opponents — including Harvey Rosenfield's Proposition 103 enforcement group, several liberal advocacy groups, and the trial lawyers' association — focus on the measure's uninsured-motorist provision. They argue that 213 unfairly targets minorities, students and poor people who cannot afford car insurance, and in no way guarantees reduced insurance premiums. They say that the measure effectively — though not explicitly — will prevent uninsured motorists from winning even medical or lost-wages damages, since many contingent-fee lawyers will refuse to take their cases without the promise of the higher non-economic damage awards.

— John Borland



Background: Two major initiatives with similar goals — to curb the huge impact of campaign contributions on California politics — are competing, sometimes with a vengeance, for voter support. The warring initiatives, oddly enough, were designed by longtime former allies who agree on the need for significant campaign finance reform, but could not agree on how to do it. The result is two reform packages with similar provisions: Proposition 208, sponsored by Californians for Political Reform, a coalition led by Common Cause, the League of Women Voters, the American Association of Retired Persons and United We Stand America; and Proposition 212, by Californians against Political Corruption, led by the California Public Interest Research Group (CALPIRG). While both camps promised a dignified, high-road campaign, the reality has been a blizzard of lawsuits,



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countersuits, media events and press releases. The principal competing authors, Common Cause and CALPIRG, have long argued for tougher spending laws, but voters may be baffled by the spate of charges, counter-charges and plain old political rhetoric spewing from both groups. As Robert Stern, co-director of the California Commission on Campaign Financing Reform, put it: "People may tend to vote 'no' on both, or throw up their hands or not know what's going on. In effect, you have the public-interest community fighting itself."

At first blush, the CALPIRG measure appears to contain the tougher restrictions, with 212 limiting contributions in legislative races to $100, compared to $250 in 208. But 212 also repeals key elements of 1990 political-reform measures passed by voters and the Legislature in the wake of the Capitol FBI "sting" investigations and convictions of several legislators, staff and lobbyists. Backers of 208 went to court to have 212 thrown off the ballot because the repeal of an existing ban on gifts and honoraria was not noted in the attorney general's title and summary — a title and summary he has since revised to include the missing information. CALPIRG then went to court, unsuccessfully, to challenge the attorney general's revised summary. As to the ultimate legality of the initiatives, the legislative analyst says the specific provisions in both measures "have not been reviewed by either state or federal courts," adding that, in California and other states, "a number of provisions similar to those contained [in the measures] have been challenged in court and have been invalidated."

Proposition 208

An initiative statute that sets new rules for financing political campaigns.

Proposal: A contributor's campaign contributions per candidate would be restricted to $100 in districts of less than 100,000, $250 in larger districts and $500 for statewide elections. The measure provides for bigger contributions, however. Committees of small contributors may give twice the stated limits, as may contributors to candidates who agree to accept voluntary limits on spending. The measure limits total contributions from political parties, businesses and unions, and bans transfers between candidates. The measure restricts the total amount an individual, business, labor organization or political action committee can contrib-

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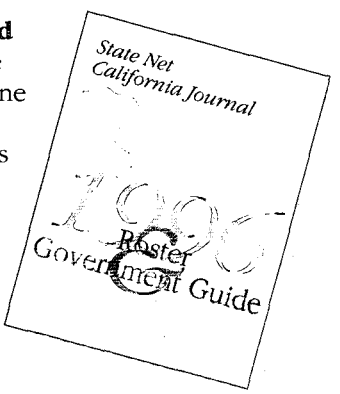

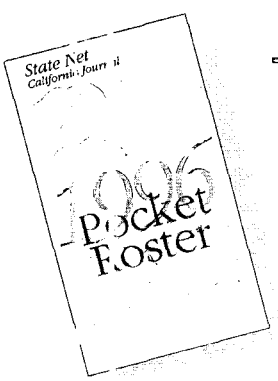

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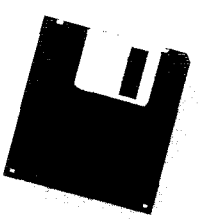

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ute to all candidates to no more than $25,000 in a two-year period, and limits the total amount of loans a candidate may make to his or her campaign — $50,000 for governor and $20,000 for all other candidates. It also limits fund raising to a specified time before the election, prohibits lobbyists from making and arranging contributions to those they also influence, requires disclosure of top contributors on advertising for ballot measures, and increases penalties under the Political Reform Act.

Arguments For: Proponents — including, among others, Common Cause, the League of Women Voters, AARP, United We Stand America, the American Lung Association and United Anglers — say their measure is a carefully written, comprehensive package designed to fix the political process; a practical, workable solution to rampant special-interest influence. Proposed reforms apply to all levels of government and will give California the toughest campaign-finance law in the country, proponents argue. Backers emphasize that the measure is the only genuine reform package, and that it has been carefully designed to stand up to court challenges.

Arguments Against: Opponents of Proposition 208 — primarily backers of Proposition 212 — say the measure provides only cosmetic improvements when a complete overhaul is needed. They are particularly critical of the $500 and $1000 contribution limits from PACS and wealthy individuals, and the fact that 208 establishes a system for voluntary compliance. Opponents say 208 is a well-intentioned but compromised proposal for reforming California's corrupted politics, and essentially replicates ineffectual federal campaign finance laws that have left Congress awash in special interest money. Furthermore, opponents contend, the measure gives extraordinary power to political parties funded by large corporate contributions.

Proposition 212

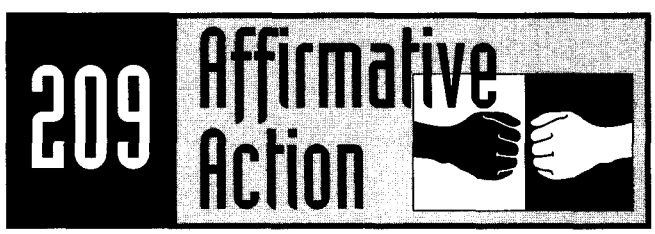
An initiative statute that establishes new rules for financing political campaigns and repeals provisions of the 1990 Political Reform Act, including bans on gifts and honoraria to candidates.

Proposal: Proposition 212 limits a contributor's contributions per candidate to $200 for statewide offices, $100 for most others, and permits committees of small contributors 100 times the individual limit. More than 25 percent of contributions cannot come from outside the candidate's district, and total contributions by committees and individuals are limited. Proposition 212 prohibits direct contributions from businesses, unions and nonprofit corporations — but permits unlimited amounts for such things as internal communications with members or employees and allows support for fund raising. It limits time for fund raising, and bans transfers of campaign funds between candidates. It prohibits contributions by lobbyists and increases penalties for violations. It restricts the total amount an individual can contribute to all candidates to $2000 per year — of that amount, no more than $1000 may be contributed to committees other than political parties. "Entities other than individuals," according to the legislative analyst, are limited to contributions of no more than $10,000 per year to all state and local candidates, committees and political parties, but these limits do not apply to citizen contribution committees. The total amount of loans a candidate may make to his or her campaign is $25,000 for governor and $10,000 for all others. It repeals existing bans on gifts and honoraria, in order, backers say, to force legislative reform.

Arguments For: Proponents — basically, CALPIRG — say Proposition 212 is the only initiative on the ballot that effectively breaks the special-interest stranglehold on government. They say Proposition 212 encourages average Californians who contribute $25 or less to join together, permitting larger joint contributions and thereby competing with better-financed special interests. It sets tough, low, mandatory limits on spending to prevent wealthy candidates from buying their way into public office.

Arguments Against: Opponents of 212 — primarily proponents of 208 — say its alleged tough provisions are pure rhetoric; meaningless gestures, empty words, setting in-district contribution and mandatory spending limits that have been ruled unconstitutional. Opponents point out that 212 repeals the ban on gifts and honoraria to candidates, which, they say, is irresponsible and takes Californians back to the days of legalized bribery.

— Sigrid Bathen



The California Civil Rights Initiative: An initiative constitutional amendment that prohibits discrimination or preferential treatment in state employment, education and contracting and could end most state and local affirmative-action programs for women and minorities.

Background: For the second general election in a row, a highly charged social issue has been sandblasted into the

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political landscape. Two years ago, it was public benefits for illegal aliens, embodied in Proposition 187. Now comes Proposition 209, which seeks to repeal most affirmative-action programs. At the crux of the drive behind Proposition 209 is a bevy of state and local efforts designed to increase educational, job and business opportunities for certain groups — primarily, women and racial and ethnic minorities. For instance, companies bidding for state contracts must show that a portion of the work will be done by minority- and women-owned subcontractors. Public colleges and universities have programs designed to provide scholarships, tutoring and outreach to minority communities, and government itself has established goals for recruiting "underrepresented" groups into government jobs. The federal government, as well, has affirmative-action programs and goals that show up as strings attached to money spent on any project partially paid for with federal funds.

Over the years, however, a growing number of groups and individuals have become critical of affirmative-action programs, considering them to be a form of reverse discrimination. Some in the African-American community — thought to be a prime beneficiary of affirmative action — also have expressed discontent, saying that it taints their accomplishments. The most vocal opponent of current affirmative-action programs is, in fact, an African-American — Ward Connerly, a Sacramento businessman and University of California regent who last year led the fight to eliminate such programs in the university system (see *CJ*, September 1995).

Basically, the debate over affirmative action revolves around the question of whether society ought to continue giving preferences to specific groups in order to help offset past wrongs. Critics have argued that affirmative action served its purpose and now does more harm than good. Supporters have generally contended that it is too soon to abandon efforts to level the playing field for women and minorities after centuries of discrimination.

Legislative and administrative efforts to do away with affirmative action have led to emotionally charged debates fraught with charges of racism. In the Legislature, Assemblyman Berrie Richter (R-Chico) introduced bills and proposed constitutional amendments in 1994 and 1995, but his efforts were defeated. Proposition 209 and its related campaign grew out of those failed efforts. Connerly — backed by the full force and political muscle of Governor Pete Wilson — was more successful, as he managed to persuade fellow regents to abolish affirmative-action programs in the UC system. But that success was bought for a price; namely, the politicization of a governing board considered to be above politics. The regents' debate proved every bit as rancorous as that among lawmakers, and it featured the Reverend Jesse Jackson, a near riot, and a teary departure from the hearing by Regent Meredith Khachigian. It did not help Connerly's cause that Wilson was running for president at the very moment that UC debated the issue, leading critics to charge that the governor had pushed the regents' vote for political gain.

Politics color the debate over Proposition 209, as well. When the possibility of an affirmative-action initiative first surfaced, it seemed like an issue tailor-made for Republicans, for it appealed to the core of their constituency — the same mostly white, middle-aged male voters who formed the backbone of support for Proposition 187. Back then, prominent Democrats considered it a minefield, as then-Democratic Party Chairman Bill Press suggested in March 1995 that such a measure had the potential to be armageddon for Democrats. But the intervening 18 months have witnessed a shift with regard to support for an anti-affirmative action initiative. Although Proposition 209 led in early polls, many observers now consider it a possible minefield for Republicans, especially among women. Privately, no less a Republican poohbah than House Speaker Newt Gingrich has been warning his candidates off the issue, which also has been condemned by the most respected Republican around — retired General Colin Powell. Republican presidential hopeful Bob Dole, however, supports 209.

But those same early polls also indicate that the term "affirmative action" is loaded with voters, whose support for the measure wanes if it is identified as doing away with such programs. That is one reason why proponents and opponents squared off in court this past August over the wording of Proposition 209's official title and summary, prepared by Attorney General Dan Lungren's office. That title and summary does not mention "affirmative action," nor the measure's impact on those programs. It merely describes the initiative as preventing discrimination — a concept widely supported by voters. Opponents of 209 challenged Lungren's wording in court, and although a Sacramento Superior Court judge sided with opponents, an appellate court overruled that decision, allowing Lungren's original wording to stand.

Proposal: Proposition 209 prohibits all levels of California government from discriminating against or giving preferential treatment to any individual or group based on sex, race, color, ethnicity or national origin. The prohibition applies to public employment, public education or public contracting and includes state, local and district government, as well as higher education and elementary, secondary and community college schools (kindergarten through 14th grade). It does not ban reasonably necessary, *bona fide* qualifications based on sex and actions necessary to qualify for federal funding. In effect, Proposition 209 will eliminate state and local affirmative-action and outreach programs aimed at schooling, employment and contracting to the extent that those programs involve preferential treatment. According to the legislative analyst, the measure could affect programs that currently cost the state as much as $125 million annually. The savings could be realized by government agencies that no longer would be required to administer affirmative-action programs. The amount paid to contractors also could decrease because bidders no longer would be required to show "good faith" efforts to recruit minority- or women-owned subcontractors, thus lowering overall bids. Schools, school districts and public colleges and universities could save money by eliminating voluntary desegregation programs, as well as counseling, tutoring, financial aid and outreach programs not mandated by federal law.

Arguments for: Proposition 209 is backed by a varied group of proponents, including Wilson, Lungren, Stanford University professor Glynn Custred, state Senator Quentin Kopp (I-San Francisco), Richter and Connerly. They argue that the civil-rights laws were designed to prevent discrimi-

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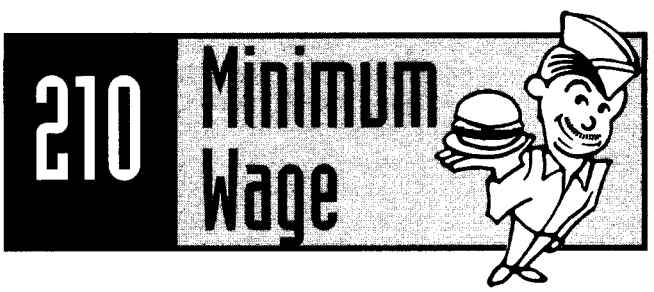
nation and instead have led to government-imposed quotas, preferences and set-asides. Those, in turn, have led to reverse discrimination based on race and gender that is unjust and unfair and has created a myth the minorities and women cannot compete without special treatment. Proposition 209, they say, simply restates the basic principles behind those civil-rights laws by ending any kind of discrimination. Government, they say, cannot fight discrimination if it discriminates.

Arguments against: Opponents — including civil-rights activist Rosa Parks, Los Angeles Mayor Richard Riordan, Pacific Gas and Electric Company, League of Women Voters President Fran Packard and Powell — argue that Proposition 209 goes too far. Rather than prevent discrimination, they say, it allows the state to discriminate by doing away with programs designed to make education, employment and contracting more inclusive. The measure harms women and minorities by eliminating affirmative-action and outreach programs and promotes division in communities.

— A.G. Block



An initiative statute to raise the state's minimum wage.

Background: The state minimum wage was last raised in 1988 when set at the present rate of $4.25 per hour. The state minimum-wage law, first established in 1916 for certain targeted industries, has been expanded over the years to include nearly all types of employment and has become not only the minimum, but the benchmark pay scale for workers at the low end of the economy. Today, approximately two million, or one-sixth, of California's 13 million workers earn less than $5.75 per hour, the amount proposed for increase by 1998; three-fourths of these are over the age of 20. The minimum wage is typically raised by the California Industrial Welfare Commission, but when a raise of 25 cents per hour was last sought by a coalition of labor groups in 1993, the IWC denied the request. Last fall, with the recession over and inflation down, the groups, led by John Henning, then head of the California Labor Federation, AFL-CIO, founded the Livable Wage Coalition to go directly to the voters to place the wage increase on the ballot. A bill by Senator Hilda Solis (D-La Puente) proposing the same level of increase as the ballot proposal failed in committee this past June. A federal wage increase has just been passed by Congress which will raise the minimum in two steps to $5.15 per hour by 1998.

Proposal: Proposition 210 would raise the minimum wage in California for all industries from the current $4.25 per hour to $5.00 per hour on March 1, 1997, and then to $5.75 per hour on March 1, 1998.

Arguments for: Proponents — a coalition of labor unions and religious and community organizations including the California Labor Federation, the California Council of Churches, the Congress of California Seniors and the League of Women Voters — argue that the buying power of the present minimum wage is at a 40-year low and puts a family of three at 32 percent below the federal poverty line. Even with the proposed increase, proponents argue, the two million workers affected by the raise will still not have the buying power the minimum wage provided in 1979. They say many minimum-wage earners are left to subsist by supplementing their low income with welfare and food stamps, and the increase will reduce this dependency and restore the ability of the minimum wage to provide a living wage.

Arguments against: Opponents — primarily small-business organizations, the California Chamber of Commerce and the National Federation of Independent Businesses — argue that increasing the minimum wage will place a heavy financial burden on small businesses in the form of a 35 percent increase in labor costs that they cannot afford. They say this will result in layoffs of workers who will turn to government financial support. Opponents argue that the only way for small businesses to cope will be to raise prices, widely affecting the buying power of consumers.

— Kathleen Les

Background: Health care in California is big business — annual spending totals more than $100 billion, according to the legislative analyst, and two-thirds of that cost is covered by various forms of health insurance. Some 80 percent of all Californians have health insurance; about half through an employer of themselves or a family member, and 20 percent by government health programs, mainly Medicare and Medi-Cal. Ten percent purchase their own health insurance. In an effort to slow the wildly escalating cost of health care — which during the 1980s grew by nearly 11 percent annually — private employers and government agencies have attempted to control costs, in part by contracting with health-maintenance organizations (HMOs). According to the legislative analyst, that cost-control effort has had some impact, slowing the growth rate to 4 percent annually since 1990.

HMOs provide health services either through their own health-care practitioners and facilities, or by contracting out physician and hospital care. An estimated one-third of

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Californians belong to HMOs, most through employer health plans but many through Medicare or Medi-Cal. HMO care is generally regarded as less expensive than the traditional "fee-for-service" health insurance, since HMOs place limits on how much a doctor can be paid for a given service and purportedly encourage physicians to be "cost-effective." HMOs also attempt to control the use of expensive hospital beds — encouraging outpatient procedures whenever possible — which has resulted in increasing numbers of empty beds in hospitals around the state and the merger, downsizing or closure of some hospitals. HMOs are licensed and regulated by the state Department of Health Services, while responsibility for regulation of the financial and business end of HMOs resides with the Department of Corporations — an oft-criticized 1970s political maneuver to keep regulation out of the then-scandal-plagued health department.

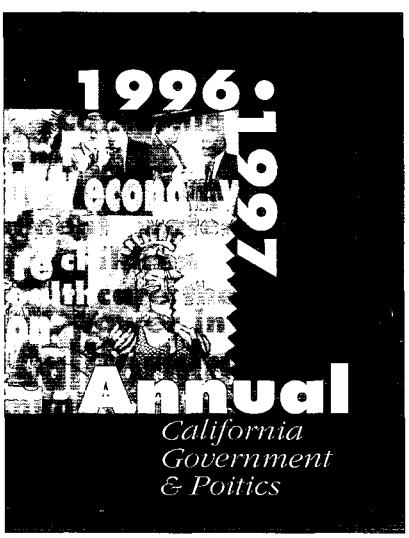
Criticism of HMOs is mounting among consumers and medical experts alike, who say the giant health-care groups excessively limit physician discretion and deny needed individual care. They also criticize state regulatory and staffing standards as confusing, contradictory, inadequate and outdated. Two competing initiatives to regulate HMOs are on the November ballot, and powerful business and health-care organizations early in the election season mounted a media campaign to defeat them, arguing the cost of regulation as proposed in both initiatives will result in increased costs to consumers. Much as the two competing campaign finance reform measures (208 and 212) resulted from disagreements between groups with similar goals, the HMO initiatives were conceived as a joint effort by health-care workers, including nurses, to regulate the industry. But opinions differed, particularly over funding mechanisms. The result: two measures with similar goals but differing methods to get there.

In a regulatory and medical arena as complex as this one, learning the facts about the initiatives, much less deciding how to vote, presents some daunting hurdles.

Proposition 214

An initiative statute that regulates health-maintenance organizations.

Proposal: Sponsored by a coalition of consumers, health-care practitioners, labor groups, seniors and the



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handicapped — under the rubric, "Californians for Patient Rights" — Proposition 214 establishes requirements for the operation of health-care businesses that include: prohibiting such businesses from denying recommended care without a physical examination; requiring more comprehensive state staffing standards for different types of health-care facilities; barring health-care businesses from using financial incentives for health-care practitioners if those incentives would withhold or delay medically appropriate care, removing restrictions on the ability of physicians to fully inform patients and requiring better dissemination of information to the public. The measure also would require that HMOs and insurers disclose how much is spent on patient care versus executive salaries and corporate overhead.

Arguments For: Proposition 214 is sponsored by a coalition of groups, including the Service Employees International Union, California Federation of Teachers, United Cerebral Palsy Association, California Physicians Alliance and Children Now. They argue that the measure is a simple and effective way to ensure that medical decisions are made by patients and their doctors — not HMO bureaucrats. Backers offer up a host of HMO horror stories — patients battling HMOs over referrals to specialists and refusals to pay for life-saving procedures. These stories, argue proponents, have led consumers to question whether they can rely on their HMOs and insurance companies for ethical and safe care. They say the initiative is a simple, effective measure to stop HMOs from denying patients the medical care they need and have paid for.

Arguments Against: Calling Propositions 214 and 216 "two peas in a pod," opponents, including the California Chamber of Commerce and California Taxpayers Association, say both promise bogus health-care reforms that will dramatically raise the cost for health-care insurance. They cite an "independent economic study" estimating that under 214, insurance premiums could go up by as much as 15 percent, costing Californians more than $3 billion annually in higher health costs and leading to more uninsured. They also say that hospitals caring for the poor would be severely hurt under 214. Principal blame, according to opponents, goes to one of the initiative's major backers, the Service Employees International Union, which represents health-

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care workers. "Trial lawyers will be able to file lawsuits over virtually every employment decision involving a health care worker" if 214 is passed, opponents contend.

Proposition 216

An initiative statute that regulates the HMO industry and restructures taxes on health-care businesses.

Proposal: Sponsored by a coalition of health-care professionals and consumer groups calling themselves "Consumers and Nurses for Patient Protection," Proposition 216 would impose new taxes on some health-care businesses and individuals, with the revenue used to finance various health-care services. Among many requirements for the operation of health-care businesses, the measure would: prohibit such businesses from denying recommended care without a physical exam; require more comprehensive state staffing standards; bar health-care businesses from using financial incentives to withhold appropriate care; create a new public corporation to advocate for health-care consumers. The measure proposes a variety of new taxes on health-care businesses, including taxes tied to bed reduction, mergers, transfers of nonprofit or publicly owned assets and stock distributions. Revenues would be deposited in a new Public Health and Preventive Services Fund, to be administered by the state Department of Health Services to maintain public health services — including trauma care, prevention, senior health care and care for families who have lost job-related health benefits.

Arguments For: Proponents — including Ralph Nader, the California Nurses Association and the former head of the American Public Health Association — argue that insurance companies and HMOs are downgrading medicine from a profession that serves patients to a business that squeezes them. They argue that under the managed-care methodology of the HMOs, medical decisions often are made by insurance bureaucrats and not by health-care professionals who are increasingly controlled by HMOs and insurance companies. They cite a variety of questionable practices, including awarding bonuses or incentives to doctors for withholding treatment, imposing "gag rules" on doctors or nurses, denying referrals to specialists, forcing patients out of hospitals before they are fully recovered, cutting medical staff, increasing patient loads and replacing nurses with lower-wage health-care workers. They say the measure will actually save taxpayers money, because the health-care industry will pay for enforcement by cutting wildly excessive HMO salaries, multibillion-dollar hospital mergers and medical service reductions.

Arguments Against: Opponents — including the California Chamber of Commerce and California Taxpayers Association, — say Proposition 216, like 214, is a special-interest trick containing patient protection provisions already part of the law and proposals that won't deliver real health-care reform — and may even make things worse. They particularly take to task the California Nurses Association, a co-sponsor of the initiative, arguing that the measure contains staffing quotas that will enrich the membership of the CNA and raise health-care costs. They argue that health-care costs will skyrocket as a result of increased requirements for health-care businesses, and the imposition of new taxes on those businesses to pay for those requirements.

— Sigrid Bathen

215 Medicial Marijuana

An initiative statute that allows the cultivation, sale and use of marijuana for medical purposes.

Background: Legislation permitting the seriously ill to use marijuana to ease their suffering has twice been vetoed by Governor Pete Wilson in the past two years, prompting backers of medical marijuana use to go directly to voters with an initiative, Proposition 215, which would provide access to marijuana for the seriously ill. Mounting a media campaign featuring a press packet with a somber black and white cover photo of a Barbara Bush lookalike confering with a white-haired physician, Californians for Medical Rights apparently hope to distance themselves from the nether fringes of the marijuana legalization movement. The measure has the support of individual doctors and other health-care practitioners, including a registered nurse who gave her dying husband marijuana to ease the nausea of chemotherapy for lung cancer. Her anecdote is one of the strongest arguments advanced in the initiative's behalf — that it enables cancer patients to better withstand the effects of chemotherapy by sharply reducing the severe nausea and weight loss that accompanies it. Also on the pro side is businessman George Zimmer — Mr. "I guarantee it" of Men's Wearhouse fame — who became involved in efforts to legalize marijuana for medical purposes when his mother was diagnosed with cancer a decade ago. Zimmer heard from other patients that marijuana made the acute nausea accompanying chemo more tolerable and tried to get his mother to use it — but she wouldn't because it was illegal.

Despite its generally conservative, be-kind-to-the-dying approach, the measure faces stiff opposition from a phalanx of law enforcement groups that fear it would open the door to legalization of the drug. In a dramatic — some say politically motivated — raid on San Francisco's "Cannabis Buyers' Club," which openly sold marijuana for medical purposes to individuals with medical authorization and was generally tolerated by local authorities, narcotics agents in

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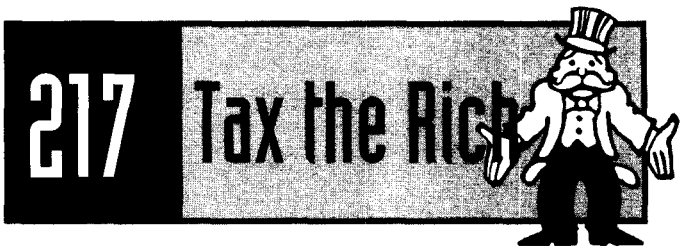
the attorney general's Bureau of Narcotics Enforcement shut the club down in early August. Backers of Proposition 215 said the raid underscores the need for passage of the initiative.

Proposal: Proposition 215 exempts patients and "defined caregivers" who possess or cultivate marijuana for medical treatment recommended by a physician, from criminal laws that otherwise prohibit marijuana possession or cultivation. It provides that physicians who recommend the use of marijuana for medical treatment not be punished. According to the legislative analyst, it allows caregivers to grow and possess marijuana for a person for whom the marijuana is recommended, but does not overrule laws prohibiting marijuana use for nonmedical reasons. The measure provides for the use of marijuana when a physician has concluded that the individual's health would benefit in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine or "any other illness for which marijuana provides relief."

Arguments For: Proposition 215 will allow seriously and terminally ill patients legally to use marijuana if — and only if — they have the approval of a licensed physician. Proponents, calling themselves Californians for Medical Rights, include physicians and nurses who supported the vetoed legislation authored by Assemblyman John Vasconcellos, (D- Santa Clara). They say they have firsthand medical and personal knowledge of the benefits of marijuana for purely medical reasons, including the treatment of nausea in chemotherapy patients and lowering internal eye pressure associated with glaucoma, thus slowing the onset of blindness. Although not a cure, marijuana, either smoked or baked into foods, often eases patients' nausea and allows continuation of critical chemotherapy — which initiative backers say one-third of cancer patients do not complete because of the severe side effects. San Francisco District Attorney Terence Hallinan, a proponent, supports it "because I don't want to send cancer patients to jail" for using marijuana. Among numerous medical studies cited by the backers, they point to a Harvard survey that found that nearly half of cancer doctors surveyed would prescribe marijuana to some of their patients if it were legal.

Arguments Against: Opponents listed on the November ballot arguments include a variety of law enforcement, criminal justice and drug abuse prevention groups, including state associations of sheriffs, district attorneys, police chiefs, narcotics officers and Attorney General Dan Lungren. They argue that Proposition 215 will impede efforts to convince young people to remain drug-free and sends a false message to children that marijuana is safe and healthy. They contend the initiative would allow unlimited quantities of marijujana to be grown anywhere, in backyards or near schoolyards without any regulation or restrictions. Calling the measure a cruel hoax, opponents say the initiative is deceptive and poorly written and is designed to exploit public concern for the seriously ill and dying in order to legitimize widespread use of marijuana. They say the definition of illnesses for which the drug can be used is too broad, there are no age restrictions for those who may grow it, and the initiative essentially makes available a drug not approved by the U.S. Food and Drug Administration.

— Sigrid Bathen



An initiative statute that sets the state income tax rate for Californians with taxable income of more than $100,000 annually.

Background: Beginning in 1973, tax rates of 10 percent and 11 percent were established for California's top income earners. These rates continued in effect until 1987, when the rate ceiling lowered to 9.3 percent after California restructured its tax brackets in accordance with the federal government's massive tax overhaul of 1986. When a recession-strapped economy began in 1991 to produce revenue shortages, lawmakers and Governor Pete Wilson revived the 10 and 11 percent tax brackets for five years, and temporarily increased the state's sales tax by one-half percent. Two years later, an $11 billion deficit led to a controversial budget agreement shifting $2 billion annually in property tax revenue from local governments to the state's education budget. With local officials warning the shift would jeopardize staffing for law enforcement agencies, Proposition 172 was proposed in 1993, permanently extending the half-cent sales tax increase but earmarking the money only for public safety. Meanwhile, legislative efforts in 1994 and 1995 to prevent the 10 and 11 percent rates from disappearing proved unsuccessful, leading to a return of the 9.3 percent rate for the 1996 tax year.

Proposal: Beginning with income earned this year, Proposition 217 reinstates on a permanent basis the 10 percent tax rate for individuals with more than $100,000 in taxable income ($136,115 for heads of households), and an 11 percent rate for individuals with more than $200,000 in taxable income ($272,230 for heads of households). The legislative analyst projects a revenue increase of $900 million for 1996-97, and $750 million in each succeeding year. Approximately half of the revenue will go to schools and half to local governments. Each local entity will receive a proportional share based upon their 1993 revenue-shift losses, minus any Proposition 172 sales tax money. Proposition 217 also limits future legislative attempts to reallocate property tax revenue by creating a "floor" for local government funding.

Arguments for: Supporters of Proposition 217 include the California Tax Reform Association, California Federation of Teachers, Peace Officers Research Association, and the League of Women Voters of California. They claim local services and schools have suffered enough as a result of Sacramento's budgetary machinations. Proponents state the initiative will help rectify the financial troubles plaguing local governments and prevent future "grabs" by state officials of property tax revenues. They contend schools will also

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benefit from the continuation of the tax rates, which otherwise will end and result in an $800 million tax cut for the wealthiest 1 percent.

Arguments against: Opponents, including the California Taxpayers Association and the National Federation of Independent Business, dismiss Proposition 217 as a tax increase that will curb California's resurgent economy. They point out that 80 percent of small businesses pay personal income taxes, which will cause them to be unintentionally victimized by the initiative. They contend Proposition 217 doesn't guarantee schools will receive the money that proponents claim it will, and that no accountability exists for how local governments will spend the additional revenue.

— Noel Brinkerhoff

An initiative constitutional amendment that limits the ability of local governments to raise revenue through fees, assessments and taxes.

Background: Since the passage of Proposition 13 in 1978, supporters of the landmark tax-reform measure have battled local government officials over the taxing authority of cities, counties and special districts. Proposition 13 supporters insist their measure was intended to reduce local government taxation and the burden on taxpayers. But loopholes have allowed local governments to use other financing methods for projects and services, namely the expanded levy of fees and assessments on private property owners. Publicly owned property, such as schools, does not pay assessments, however. These alternative revenue sources do not require voter approval, as stipulated in the 1992 California Supreme Court case *Knox vs. Oakland*. Current law also dictates that the "burden of proof" falls on the taxpayer whenever the legality of fees and assessments is challenged in court. In 1986 Proposition 13 proponents put forth another tax-reform measure, Proposition 62, requiring majority approval for all "general" taxes, such as for law enforcement, and two-thirds approval of all "special" taxes, such as for expansion of a sewage treatment facility. Though intended to apply to all cities, the initiative's scope is limited by legal decision to general-law cities only, and not to charter cities like Los Angeles and San Francisco.

Proposal: Proposition 218 limits local governments' use of fees, assessments and taxes. It stipulates that fees and assessments can only be used for specified purposes and not for projects or services benefiting the general public, such as for public safety or libraries. All new fees and assessments, plus increases in existing ones, must be approved in an election by a majority of property owners. Approximately half of all existing assessments would also be subject to voter approval by no later than July 1, 1997. Assessment district elections would be subject to a proportional voting system, with some property owners' ballots weighing more than others depending upon the assessment each would pay. Proposition 218 further requires that all public agencies and schools pay assessments, and that charter cities abide by Proposition 62's voting stipulations on local taxes. The "burden of proof" regarding legality of assessments and fees also would be reversed, placing the onus on local officials rather than on taxpayers. The legislative analyst estimates an annual loss of $100 million for local governments if Proposition 218 passes.

Arguments for: Proposition 218 is the product of the Howard Jarvis Taxpayers Association and Paul Gann's Citizen Committee — the organizations founded by and still operating under the names of the godfathers of Proposition 13. They claim this measure will finally stop the "end run" around Proposition 13 by local governments. By mandating all fees and assessments be subject to election, supporters say government officials will no longer be able to disguise tax increases in other forms. They cite a 2400 percent increase in assessments over the past 15 years as proof that local government taxation is out of hand. Supporters insist Proposition 218 will not jeopardize public safety funding since general tax revenues will still be available for such services. Local authorities will need only to convince their electorate that new taxes are really necessary.

Arguments against: Opponents of Proposition 218 include the League of Women Voters of California, the California Congress of Seniors, the California Teachers Association and a bevy of law-enforcement and fire-protection groups. They say the initiative's provisions pose a financial catastrophe for local services, including public safety, education, and libraries. Opponents claim it will grant expanded voting power to large landowners, including those residing out of state, and deny renters the right to vote under the weighted voting system for assessments. They also characterize it as a tax increase measure since it requires publicly-owned entities to pay assessments.

— Noel Brinkerhoff

The *California Journal Ballot Book* went to press in mid August. At that time, several bond proposals for schools and prisons were still pending in the Legislature. If they become part of the November ballot, *CJ* will review them in its October magazine.

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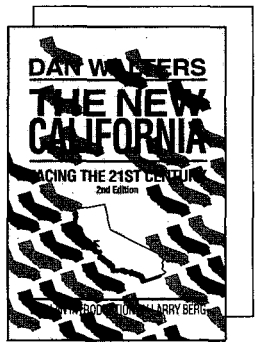

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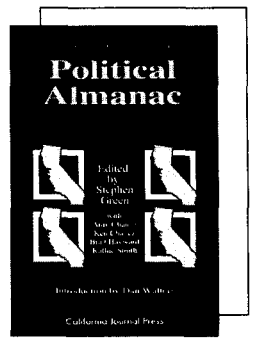

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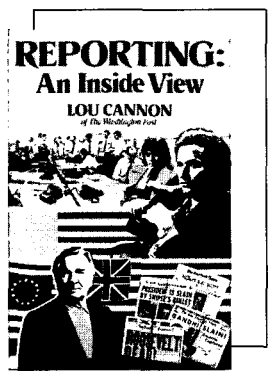

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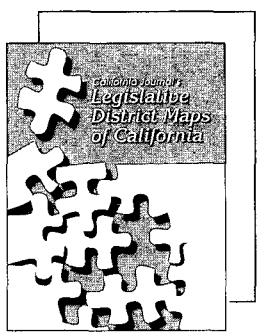

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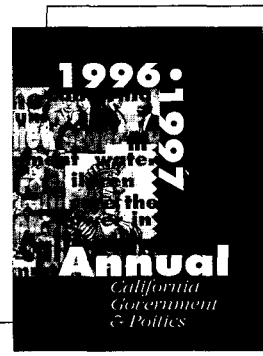

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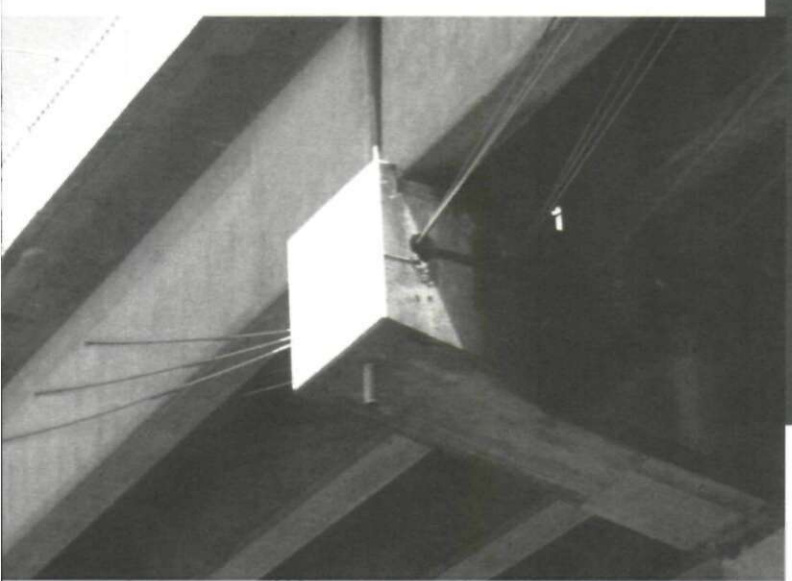
Not Your Average Pothole

Fixing damage from earthquakes and retrofitting to make California's bridges and highways safe in the next big temblor is time-consuming and expensive. Very expensive, as Caltrans and lawmakers have discovered while the state tries to recover from the '89 Loma Prieta and '94 Northridge quakes.

By Ray Sotero

Talk about sticker shock. In the aftermath of the killer Northridge earthquake in early 1994, in which seven southland bridges collapsed, state engineers reviewed the cost of strengthening seven toll bridges statewide. Their estimate, released in June of 1994, said it would take $650 million to retrofit the toll structures with cables and steel-jacketed columns to help ensure their safety. Five of the bridges were in the Bay Area; the remaining two in Southern California.

Nearly 18 months later, the repair estimate mushroomed to more than $2.1 billion, with up to $1.3 billion



Above: Bay Bridge, Loma Prieta Earthquake, 1989. Courtesy of Cal Trans
Left: Retrofitting Vallejo Bridge, Highway 37. Courtesy of the author.

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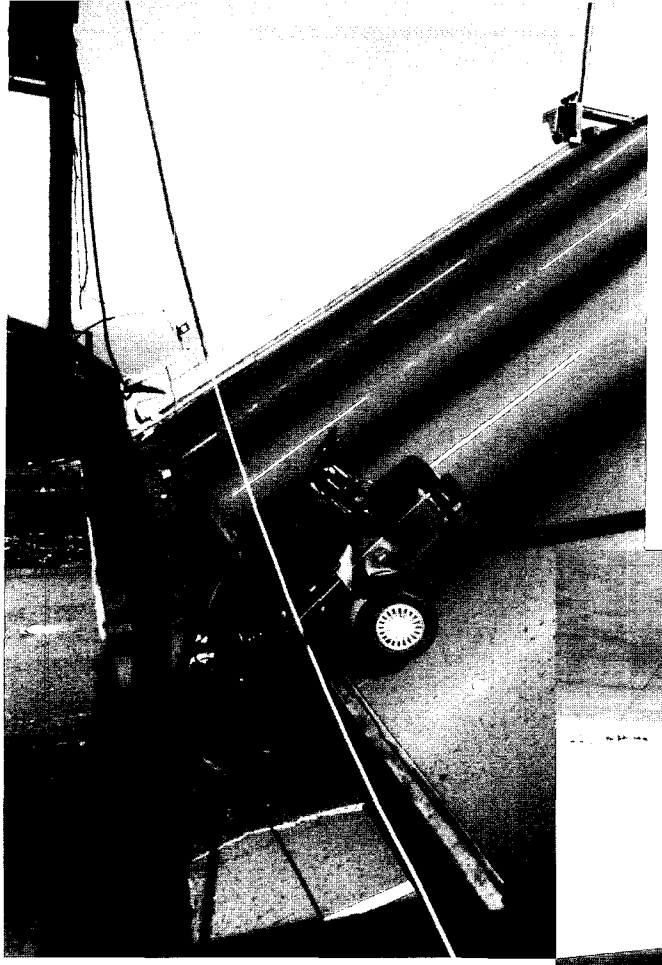

Left: Bay Bridge, Loma Prieta Earthquake, 1989. Courtesy of Cal Trans

Below: Vallejo Bridge, Highway 37, Columns with steel jackets. Courtesy of the author.

alone needed to repair the complex San Francisco-Oakland Bay Bridge. The bulk of those repairs is for the eastern portion of the 60-year-old span, between Yerba Buena Island and the Alameda County shore off Oakland. But that revision has raised sticky questions about financing for bridge-repair projects statewide, and has some worrying about the safety and future of the estimated 12,000 bridges statewide overseen by the California Transportation Department.

Chief among the Caltrans critics: state Senator Quentin Kopp (I-San Francisco), chairman of the Legislature's Senate Transportation Committee. "They [Caltrans leaders] have performed dreadfully, and their figures are entitled to no credibility," said Kopp, who conducted summer hearings on proposed toll increases to help pay for bridge-safety improvements. "As for what the final numbers will be, who knows?"

For their part, Caltrans officials point to what they insist is an accomplished record considering the size of their engineering task: Inspect the 12,000 state and 11,500 city and county bridges and judge their structural integrity. For the state bridges, they then must design a retrofit plan, award a contract and oversee construction. Caltrans supporters also note public support for their work because of voter passage last March of a $2 billion bond measure to help pay for seismic retrofit projects for transportation systems throughout most of California, a task Kopp said exceeds earmarked funds.

Consider the record, Caltrans spokesman Jim Drago said.

On January 17, 1994, Southern California was shaken by the biggest quake there in more than 22 years. It caused $18 billion in damages and caused the collapse of seven highway bridges. Of those seven, five had already been scheduled for retrofitting. More significantly, of the 114 Los Angeles County structures that had been retrofitted prior to the quake, all came through in good shape. By early 1994, when the dust from Northridge had begun to settle, the state's retrofit plan was divided into a four-part attack.

It began with what Caltrans called "phase one" after the fall 1989 Loma Prieta earthquake devastated many Bay Area freeways. Engineers identified 1039 bridges throughout California deemed most in need of urgent retrofitting. By the middle of this year, 988 of those bridges had been strengthened, and most of the remaining 51 bridges are expected to be completed by October, with the overall cost pegged at $780 million, records show. In what the highway agency calls phase two, launched after the 6.9 temblor in Northridge, engineers identified 1364 bridges for strengthening. Construction on nearly 200 of those is either completed or underway, with the remainder in various stages of engineering design, review and analysis. Estimated completion date is the end of 1997, at an estimated cost of $1.05 billion.

So far, so good. Reaching critical mass now, however, is perhaps the hottest political potato of the earthquake retrofitting projects: The toll bridges. They perhaps are the most complex part of the repair plan, and it is here where the biggest shock came over estimated repairs. Their estimates pushed the retrofit budget into the red, and repair estimates for each of the bridges have been revised upward. But none of the costs increased more than for the work needed for the four-mile stretch of the San Francisco-Oakland Bay Bridge. Instead of $250 million, as initially predicted in mid-1994, the repairs were pegged early this year at between $1 billion to $1.3 billion. Caltrans Director James Van Loben Sels attributed the upward revision to greater-than-expected repair needs to the supporting columns and abutments on the eastern-most section of the bridge.

Kopp's hearings, part of a joint effort with the Assembly Transportation Committee, have yet to hammer out a way to come up with an estimated $1.4 billion to help retrofit financing. It's likely, however, that nothing much will be accomplished until the next

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session of the Legislature. The hearings don't include the most famous of his hometown commuter links, the Golden Gate Bridge. That tower is run by a separate, local authority, which is seeking federal help for about $100 million in strengthening work.

Finally, agencies responsible for locally owned bridges in Los Angeles and Santa Clara counties are charged with assessing retrofitting needs for their non-state, publicly owned bridges. About 1000 bridges have been earmarked for repairs, and as of earlier this year, 41 bridges are done, 24 are under construction and design is completed on 59. Costs will be borne locally.

Financing remains a worry. "We know there isn't enough money, but it'll be made available, one way or another," Kopp predicted, with a sigh. "They'll either raid toll money that hasn't been spent or the highway account" or both, he added.

Whether that money can be used until the highway bonds are exhausted is open to debate. Jim Knox, head of transportation issues for the Planning and Conservation League, a conservation lobbying group, said no tolls or tax dollars could be used until the bond measure, known as Proposition 192, has been expended. That interpretation has been open to debate, but opponents seem bothered most by how the bond-funded retrofitting projects are exempt from environmental review, and also how new road and maintenance projects have been put on hold to make way for the retrofitting.

On another front, California's recent earthquakes have highlighted two major problems with overpass designs: A lack of flexibility in concrete bridges because of design problems, and a lack of restraints at interior expansion joints and at the abutments of the bridges. The latter problem allowed large motion of the highway decks and, as a result, Caltrans embarked on a program to redesign new bridges and to retrofit older overpasses with steel metal jackets, joint restraints, and tying bridges together across their expansion joints and to their abutments.

Later, a study showed this approach resulted in joints that weren't as flexible as needed and the result was a crash program at the University of California campuses in San Diego and Berkeley on how best to strengthen both single column and multi-column overpasses. To deal with the previously unrecognized power of upward thrusting quakes, Caltrans officials insert a steel mat into existing highway decks to prevent columns from pushing through.

If nothing else, floating bonds for highway projects breaks the historical system of paying for road projects with user fees, tolls and gas taxes. In addition, interest on the bonds will have to come from an ever-shrinking general fund. In the meantime, safety-conscious commuters may be edgy, Kopp said: "This says to taxpayers, 'Pray for no earthquake.' and it says that Caltrans is not an efficient organization."

Ray Sotero since January has been managing editor of Ag Alert, *the largest weekly trade paper in the state. He formerly was deputy bureau chief for five years of the Sacramento Bureau of Gannett News Service/USA TODAY, and, before that, worked in* The Sacramento Bee *Capitol Bureau.*

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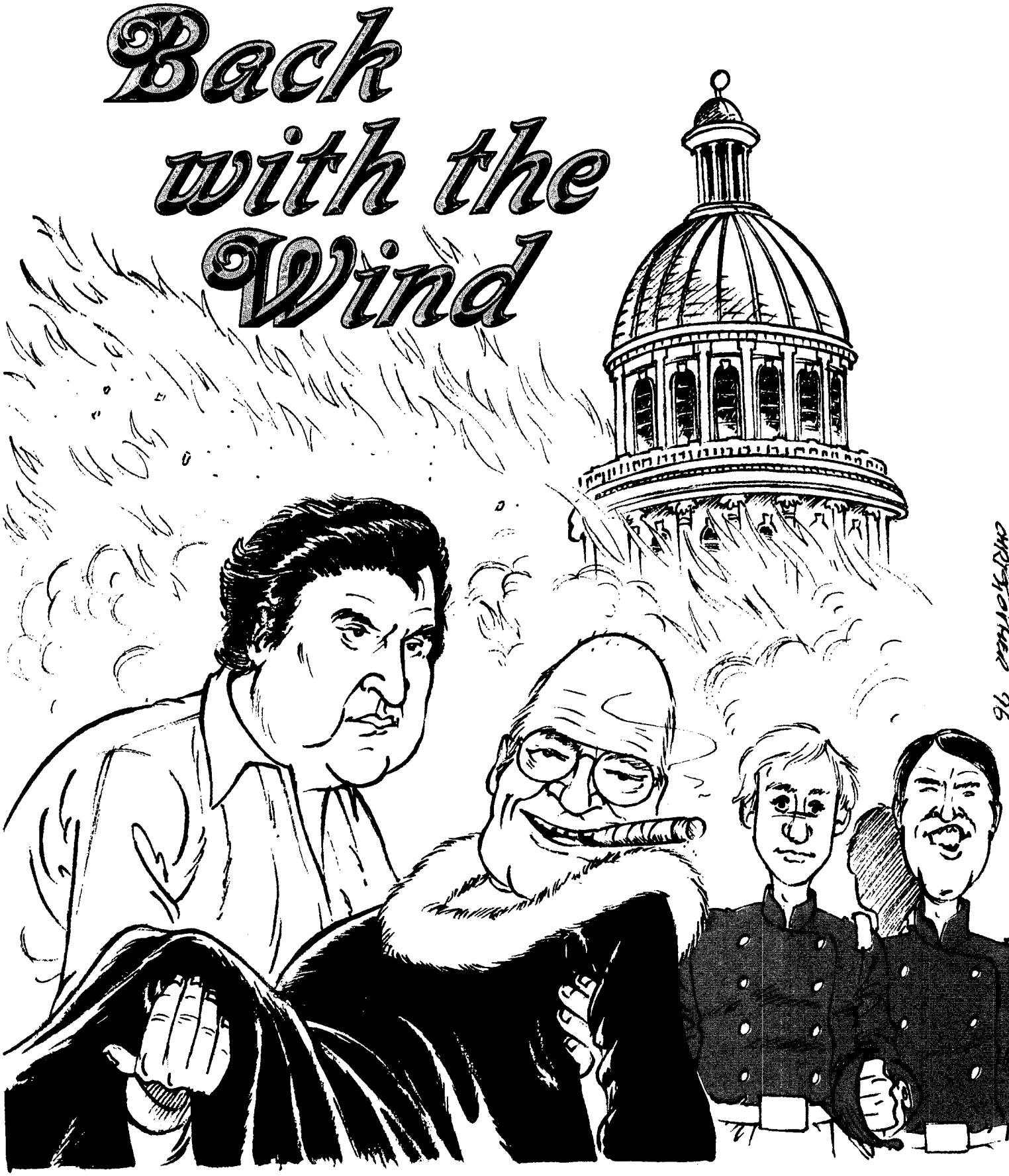

Illustration by Christopher

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Term limits hits the Legislature with full force this year, and as in the South during Reconstruction, the resulting upheaval has created opportunities for some old hands.

By Charles M. Price and A.G. Block

When the War Between the States ended, the Old South lapsed into a period of chaos and upheaval known as Reconstruction. And while that chaos may have wreaked havoc with Ashley Wilkes, it provided plenty of opportunity for Rhett Butler and Scarlett O'Hara — folks who thought their time had passed but who saw a chance to rise again. A phase of their lives may have gone with the wind, but another wind brought the seeds of a new prosperity.

For the California Assembly, the upheaval isn't some civil war. It is Proposition 140's term limits, which arrive with full force in 1996. This year, every member who was serving when voters passed the initiative in November 1990 is barred from seeking re-election. That, friends, creates opportunity in the form of 32 open seats. And seven former Assembly members have stepped up to take advantage of the situation. There have been few occasions when an incumbent assemblymember left the house for a time, then sought to win back his or her seat. But, having seven former members do so in one election is extraordinary. Five of the former members are running in districts where the current incumbent is termed out and one is challenging a freshman.

The cast of characters includes four Democrats and three Republicans, six men and one woman. If they all win in November, and five are considered strong bets, they will return to the Assembly armed with legislative experience and policy expertise — items in short supply when the 1997-98 Legislature convenes for the first time this December. Each of the seven believes that he or she can help make the Assembly work more effectively, and given their collective experience, all could move quickly into leadership positions. In alphabetical order, the seven who hope to come back with the wind are:

Steve Clute (Democrat, AD 80):

Democrat Steve Clute, 47, is the one returnee who must take on an incumbent — rookie Republican Jim Battin. Clute was first elected in 1982 and served for a decade before the 1991 reapportionment greased his skid into private life. His old Assembly district, centered on Riverside, was shattered into three parts in that redistricting, with none of the parts very hospitable to a Democrat. At first, Clute said he would retire. But at the last minute he moved from Riverside to Palm Desert and filed to run in District 80, where he soon abandoned his campaign. Not surprisingly, he was creamed in the Democratic primary by attorney Julie Bornstein, who won in November but lost to Battin in 1994. Clute, meanwhile, ran for Congress in 1994 against Republican Sonny Bono, again losing badly. Regarded as a good campaigner on the ground, Clute has had trouble in the past raising money, having relied for most of his Assembly career on the largess of Democratic colleagues — notably, former Speaker Willie Brown Jr. But Brown is gone from the scene, and Assembly Democrats don't have extra cash to spend on longshots, so Clute faces an uphill struggle to oust Battin, even though Democrats have a 47 percent-to-40 percent registration edge.

"I decided to run again because I wanted to have a part

Charles M. Price teaches political science at California State University, Chico, and is a frequent contributor to California Journal. *A.G. Block is editor of the* Journal

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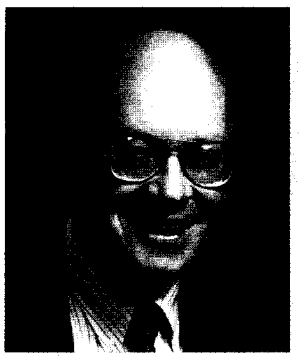
in developing good public policy," said Clute. "New legislators are under a great strain. They've got to do something quickly because time is short. I had more time to learn and not feel that pressure."

Richard Floyd [Democrat, AD 55]:

"Colorful" is a nice way to refer to Dick Floyd, described in 1989 by the *California Political Almanac* as the "loudest, most profane member of the Legislature — and proud of it." The wise-cracking, cigar-chomping, chain-smoking 65-year-old former legislator was first elected to the Assembly in 1980 after having served for a decade on the staff of Senator Ralph Dills (D-Gardena). His departure from the Assembly was hastened in 1992 when reapportionment threw him into the same district as then-Assemblyman Dave Elder (D-Long Beach). Both lawmakers subsequently were defeated in the '92 Democratic primary by newcomer Juanita McDonald. The seat became vacant this past March when McDonald was elected to Congress in a special election (see *CJ, March 1996).* Floyd won the primary to succeed McDonald, defeating among others, McDonald's son. He now is a lock to return to the Assembly from an overwhelmingly Democratic district sandwiched between Carson and Long Beach. Floyd has been a lobbyist for the past few years, representing various card clubs and gambling interests. As a legislator, he specialized in legislation affecting the liquor and horse-racing industries. He also is the author of a controversial law that requires motorcyclists to wear helmets.



"I've watched what's been going on around here," Floyd said. "There's a total lack of quality representation. When I served, some of my best friends in the Legislature were Republicans. We'd go out to dinner and have a few drinks." Today, Floyd said, the old bipartisan friendships are largely nonexistent.

Floyd's acidic observations spare no one, and he has been critical of way Assembly Democrats held onto power in 1995 even though they were the minority (see *CJ,* March 1995). "Let's recognize, when you don't have the votes you lose," said Floyd. "I don't like turncoats or snitches."

Tricia Hunter [Republican, AD 78]:

Tricia Hunter, a registered nurse and former activist in the California Nurses Association, was elected to the Assembly in a special election in 1989, defeating an anti-abortion activist in a widely publicized GOP primary. Hunter served for little more than one term before the 1991 reapportionment demolished her old San Diego district and forced her to find a new venue. She chose badly, moving east into the desert's District 80 and away from her natural constituency. Weighed down by charges of carpetbagging, she lost the 1992 election to Democrat Julie Bornstein. For the past few years, Hunter has served one of her political benefactors — Governor Pete Wilson — as a member of the California Medical Assistance Commission.

Hunter, 44, is running for the seat vacated by termed-out Democrat Dede Alpert. On the surface, the San Diego-based district favors Republicans, who have a four-point registration edge, but it has been a long time since a Republican captured it. Alpert has represented the area since 1990; before Alpert, it was then-Democrat Lucy Killea. To reach the finals in November, Hunter defeated a pair of well-known Republican men, running a masterful, late-hitting campaign to emerge on top of a close primary. She now faces Democrat Howard Wayne, a deputy attorney general with strong law-and-order credentials.

The fall election is a toss-up, and as a result, the moderate and pro-choice Hunter will get all the help she needs from Assembly Republicans — even though her politics are out of step with her party's current leadership.

Ted Lempert [Democrat, AD 21]:

When Ted Lempert first won election to the Assembly in 1988 at age 27, he did something that no other Democrat had done for 100 years — represent his district (the old AD 20) in the Assembly. To do so, he beat an incumbent Republican — Bill Duplissea — by pounding the pavement day after day, night after night, walking hundreds of precincts throughout the peninsula area south of San Francisco. Once elected, he made legislative ethics his main effort but also carried major oil-spill legislation. He easily won re-election in his pre-reapportionment district in 1990.

After redistricting altered area districts, Lempert made an unsuccessful bid for Congress, finishing second to Anna Eshoo in an eight-person Democratic primary. He revived his career the next year by winning a seat on the San Mateo County Board of Supervisors, where he still serves. In running again for the Assembly, he is seeking to succeed Democrat Byron Sher, who was elected to the Senate in a special election this past March but who would have been termed out of AD 21 anyway.

The decision to run for the Assembly was not easy, said the 35-year-old Lempert. "I agonized over it because I felt I was making a real contribution to the [Board of Supervisors]. But, I was able to accomplish a great deal in my two terms in the Assembly, so I decided to run ... again."

To return to Sacramento, Lempert must defeat Republican Ted Laliotis, a Los Altos city councilman. Lempert has several advantages heading into November in this Palo Alto-based district, including a 47 percent-to-35 percent registration edge, good fund-raising ability and solid ground operation. He also has a larger electoral base and broad name recognition.

Bill Leonard [Republican, AD 63]:

Bill Leonard was elected to the Assembly with the first wave of Proposition 13 babies back in 1978. A conservative, he served in the lower house for a decade before moving over to the state Senate in 1988. He is completing his second full

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term in the Senate where he is termed out of District 31. In running for the Assembly, he is swapping districts with AD 63 Assemblyman Jim Brulte (R-Rancho Cucamonga), who also is termed out. Leonard is a virtual lock in the November election, given his electoral track record and a 48 percent-to-39 percent Republican edge in voter registration.

The conservative, 48-year-old Leonard is about to do the almost unprecedented — moving from the Senate to the Assembly because until the advent of term limits, the logical move upward in the Legislature was to leap from the Assembly to the Senate. In the entire history of California only one other legislator has gone the other way — Thomas A. Maloney of San Francisco, who served in the Senate from 1925 to 1932, then was elected to the Assembly after the 1931 reapportionment obliterated his Senate district. Maloney lingered on until 1956, when he lost to an aggressive political newcomer named Phil Burton.

"I'm running for the Assembly so that for the first time in my political career I will be part of the majority," said Leonard. And if Democrats recapture the Assembly this fall? "Then this will be one of the stupidest things I've ever done," he concluded.

Is he worried about leaving a relatively stable house to join an Assembly that seems to operate on the edge of chaos? Not at all. "While the Senate is the more experienced body," Leonard said, "it tends to be more status quo and stodgy. I think there's more of a willingness to take on tough issues in the Assembly."

Tom McClintock [Republican, AD 38]:

The forced departure of Assemblywoman Paula Boland (R-Granada Hills) due to term limits has provided an opening for one of the Assembly's most vocal gadflies of the 1980s — Republican Tom McClintock. A staunch fiscal conservative from Thousand Oaks, McClintock previously served from 1982 to 1992 and was known for lecturing governors, colleagues and others on what he perceived as fiscally irresponsible budgets and bills. McClintock ran for Congress in '92 but was soundly defeated by incumbent Democrat Tony Beilenson. In 1994 he mounted what many thought a quixotic campaign for state controller and although he won the GOP primary, he lost the general election to Democrat Kathleen Connell. Despite the loss, McClintock won plaudits for the humorous and self-deprecating tone of his campaign in a year marred by wholesale mudslinging. For the past two years, he has pumped out a steady stream of columns and editorials in his capacity as a fellow with the Claremont Institute, a conservative think tank. His electoral fortunes for 1996 seem bright in a district where Republicans enjoy a seven-point bulge in voter registration.

"This was a big decision for me," the 40-year-old McClintock said of his run for the Assembly. "Outside the Capitol, the pay is better and there's more time for one's personal life. But, I'm interested in returning to pursue my policy goals: downsizing the state bureaucracy and reorganizing state government."

Lou Papan [Democrat, AD 19]:

Lou Papan has been away from Assembly politics for a decade, but his image still looms large with Capitol veterans. None of the potential returnees wielded as much power as did Papan, who served as chairman of the Assembly Rules Committee during his last years in the Assembly. He also served as chairman of the Joint Rules Committee and did a stint as speaker pro tempore. Fiercely partisan and a hot-tempered Willie Brown loyalist, Papan was known as "the enforcer" for his willingness to punish uncooperative members by assigning them less desirable offices or cutting back on their staff. On one occasion, Papan blocked the distribution of a press release from Assembly Minority Leader Bob Naylor (R-Menlo Park), claiming the blurb was "too political." On another, he kayoed fellow Assemblyman Ken Meade (D-Berkeley) with one punch after Meade had doused Papan with coffee.

But this also is the Lou Papan who commuted to Sacramento every day from his Bay Area home so he could sleep in the hospital room of his 21-year-old son, John, who was ill with a rare vascular disease. His son died in 1981. The commute brought Papan into frequent contact with the California Highway Patrol, and also earned him the nickname "Leadfoot Lou." The lawmaker's long-running battle with the CHP is one reason that highway patrolmen still do not use radar.

Papan left the Assembly in 1986 after running unsuccessfully for the state Senate. Although he easily won the Democratic primary that year, Papan was brushed aside in the general election by independent Quentin Kopp. He was replaced in the Assembly by Democrat Jackie Speier, who is termed out in 1996. Now, Papan is running to replace Speier in a district where Democrats hold a 54 percent-to-29 percent registration edge.

The 68-year-old Papan, who claims to have mellowed during his hiatus from the Assembly, complained that "the ... Legislature has steadily gone downhill over the last 10 years. ...I feel I can make a contribution in trying to restore some of the customs and traditions of the Assembly." Advocating a more bipartisan approach, Papan added, "I want people to say that 'Lou Papan brought us together.'"

Although the trend set by these seven "pioneers" may last only as long as the supply of breathing former assemblymembers, at least one of them may be blazing a trail — Leonard. He may be the first since Maloney to go from Senate to Assembly, but he may not be the last. After all, every member of the Senate save Democrat Byron Sher is eligible under term limits to run for the Assembly, and several have never served in the lower house. So the ranks of senators seeking to delay the ravages of term limits could blow several others back with the wind.

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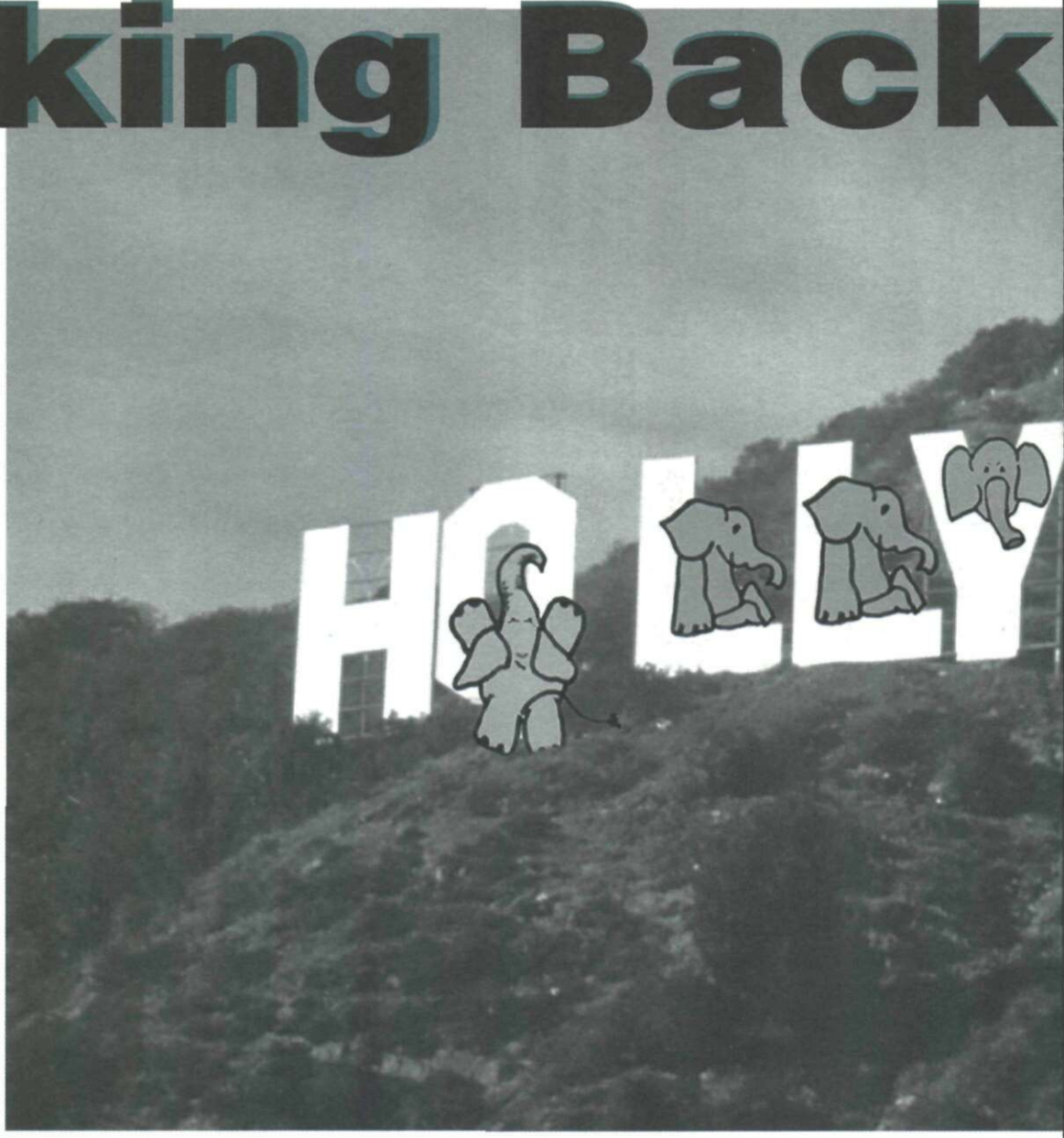
Taking Back



Hollywood may be perceived as a political province of Democrats, but Republicans, too, are looking for cash and celebrity power among the entertainment industry's star elite.

by Susan F. Rasky

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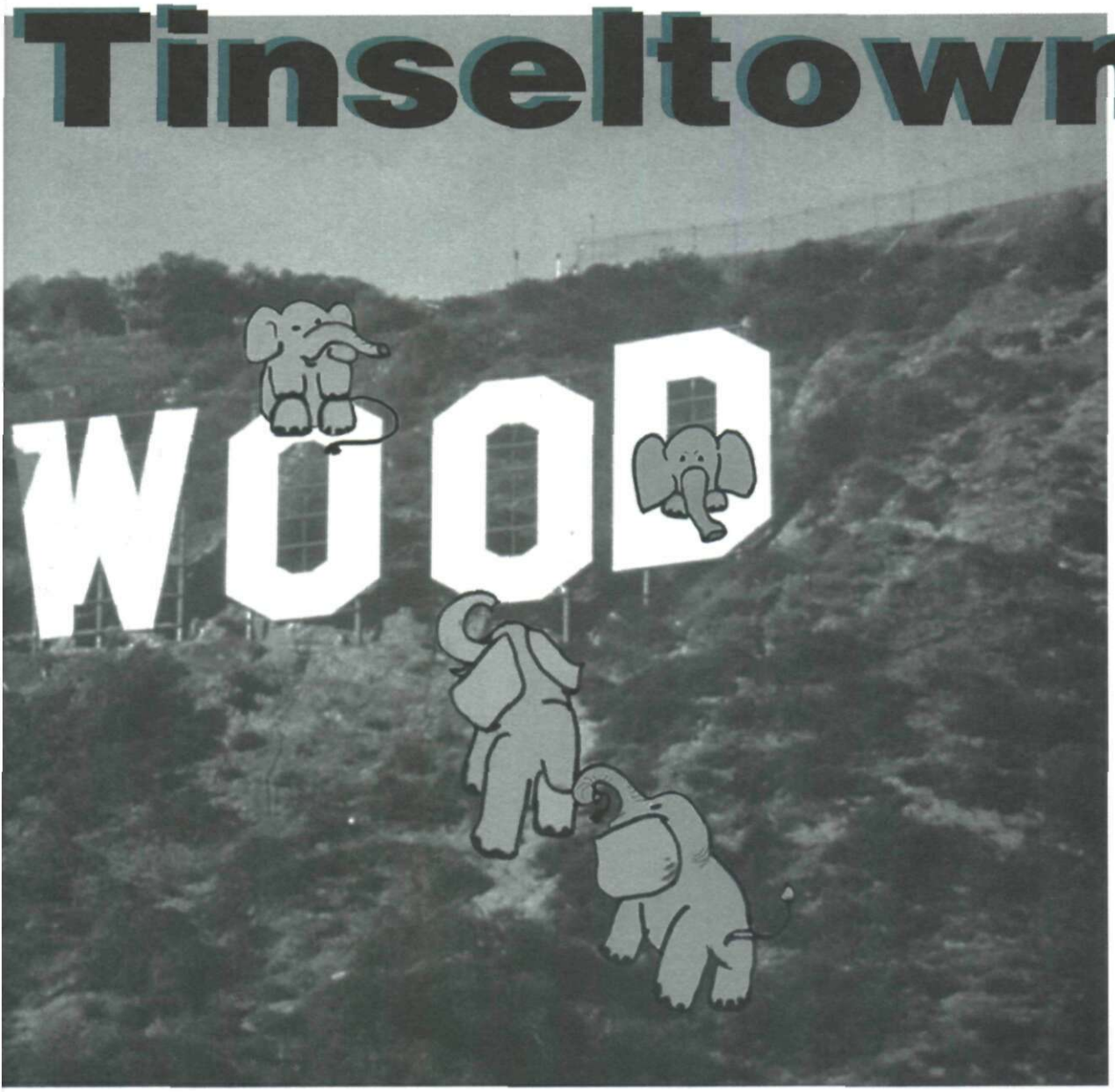
Tinseltown?



"I think the biggest problem with Hollywood and the Republicans is that they hate the Republicans and they think the Republicans hate them. And they think all they wanna do is kill whales."

Representative Sonny Bono (R-Palm Desert)
Chairman, House Entertainment Task Force
(*The Christian Science Monitor*, June 25, 1996)

To be perfectly clear, nobody in Washington or Hollywood is predicting political realignment in an entertainment community whose hearts, souls and personal checkbooks have long been safe Democratic territory. Even political rapprochement would be an overstatement in describing the recent uptick in industry contributions to Republican congressional candidates.

But Sonny Bono's prosaic analysis notwithstanding, there is something that seems to be new and different going on between the nation's two most self-obsessed cities, and it probably bears watching.

Susan F. Rasky is director of California News Service at the University of California, Berkeley, Graduate School of Journalism and a contributing editor to California Journal.

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....there is something that seems to be new and different going on between the nation's two most self-obsessed cities, and it probably bears watching.

The explanation for the improved GOP cash flow from Hollywood is simple enough. When Congress changed hands in 1994, studio political-action committees adjusted their contributions accordingly. Also at stake were two economic issues critical to the entertainment industry — a major overhaul of telecommunications law eventually approved by Congress in January 1996, and a trade dispute with China over the manufacture of pirated compact discs and videotapes.

Hollywood celebrities and creative types might shudder at the thought of cozying up to the foot soldiers in House Speaker Newt Gingrich's (R-Georgia) conservative revolution, but the Motion Picture Association's venerable lobbyist Jack Valenti, a former aide to President Lyndon Johnson and a lifelong Democrat, hasn't spent 30 years in Washington without learning his way to the Republican cloakroom.

So it was hardly surprising that Valenti early last year brought Gingrich together with a group of major studio executives or that he should, from time to time, remind the President Bill Clinton's White House that corporate Hollywood is interested in having allies on both sides of the political aisle. The Valenti fund-raising formula for individual political candidates is perfectly straightforward: The invitation goes out three weeks in advance, the contribution is $1000 — the legal limit — and the recipient, Democrat or Republican, is somebody in a position to be helpful to the industry.

More intriguing, however, is the getting-to-know-you waltz that seems to be going on outside Valenti's official orbit. The first public gesture came in September 1995 when Republican House members convened a "summit" in Beverly Hills with a handful of entertainment industry types to demonstrate Washington's good intentions. That was three months after GOP presidential candidate Bob Dole delivered what has since become known as "Hollywood I," a high-profile speech regarded by the entertainment industry as a blistering and unwarranted attack on the content of its films and television programming.

No matter that Clinton had offered much the same sort of moral tongue-lashing during his 1992 campaign and in subsequent presidential speeches. Clinton, after all, was an old buddy of television sit-com producers Harry and Linda Bloodworth-Thomason and a new buddy of Barbra Streisand. Dole, on the other hand, was a guy with a restive right-wing base to worry about. No telling what trouble he and the family values crusaders in Congress might cause.

Gingrich, ever the pragmatist and strategic planner where fund raising is concerned, sensed that repairs were in order — something Dole finally figured a few months ago in his more conciliatory "Hollywood II" speech — and that at least on economic issues, free-enterprising Republicans and profit-conscious studios might have more in common than either side had been prepared to acknowledge. Gingrich by then had formed a 12-member entertainment task force with Bono as chairman and House Majority Whip Tom DeLay (R-Texas) as one of the members. The summit was to be its formal introduction to Hollywood.

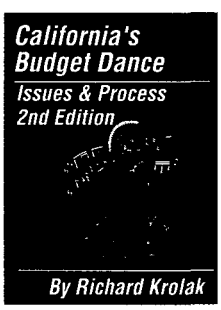
Opinions in Washington differ as to whether Bono — whose star power was never exactly high wattage — or Gingrich was the originator of the task-force idea. But the specific parentage is beside the point. The inclusion of DeLay, an early and vocal opponent of the V-chip, of California Representative David Dreier (R-San Dimas), a close Gingrich ally and important GOP fund raiser, and of Representative John Kasich (R-Ohio), chairman of the House Budget Committee and a rising national figure in Republican politics, is an indication that the task force is meant to be more than window dressing. The reasons for including Representatives Andrea Seastrand (R-Santa Barbara) and Ken Calvert (R-Riverside) on the task force are somewhat harder to fathom, but then a speaker has to do what a speaker has to do.

In any event, the September 1995 Beverly Hills summit received passing attention in several industry publications and more respectful coverage in the *Washington Times*, a paper known for its attentiveness to conservative Republican causes. A variety of entertainment industry participants — none of Hollywood's "A List" actually attended

California's Budget Dance

Issues and Process

2nd Edition
By Richard Krolak



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— was quoted as saying polite things about the "positive attitude" displayed by members of the task force. It took *The Washington Post* another month to notice, at which point the paper ran a somewhat bemused piece in its financial section focusing on Bono and noting that Valenti seemed to think trade and copyright matters were perking along just fine, thank you very much, without the ministrations of the entertainment task force.

By year's end, with legislative work on the telecommunications bill nearing completion, assorted studio types ventured to Capitol Hill for meetings, including another get-acquainted session with the task force. The *Washington Times* again obliged with positive coverage, this time in a lengthier article for its Sunday magazine, *Insight*. Here, at last, the Hollywood contingent bared its soul, or more precisely, David Horowitz did.

Horowitz, a '60s leftist turned conservative activist, runs a Los Angeles outfit known as the Center for the Study of Popular Culture, a sort of think tank for, well, deep thoughts about popular culture. During the Reagan years, he knocked around Hollywood trying without great success to coax reluctant Republicans out of the political closet.

"We are at the opening of a window for golden opportunities," Horowitz told *Insight* following the Capitol Hill meetings. "The conservative movement is, as we all know, truly radical and progressive in its goals. The party of Newt Gingrich is the party of small entrepreneurs and lean government, and that speaks to artists everywhere. The message that the new leadership is sending out, which supports greater respect for the First Amendment and free expression, coupled with a plea for a greater moral and communal responsibility, resonates with people here."

Hollywood and Washington do share a certain special appreciation for the importance of atmospherics, and Republicans in Hollywood have certainly made themselves more visible in the past four years. Horowitz can take some credit for that. Following the 1992 elections, he and producer/director Lionel Chetwynd founded an *ad hoc* discussion group known as the Wednesday Morning Club, which has become something of a forum for Hollywood's nascent conservative movement and a speaking venue for conservative politicians looking to tap into it.

In February of this year, Horowitz's center in conjunction with the National Review Institute sponsored a conference at Paramount Studios that brought together a cast of bona fide celebrities from both the entertainment and the political world for a "dialogue" on images of Washington and Hollywood. That, in turn, generated a more serious wave of press attention, and by March the articles were flowing. How much money was the GOP really generating in Hollywood? Which household-name celebrities had climbed aboard the Republican bandwagon? And, given the changing business structure in Hollywood itself, was there a new, emerging class of smaller, independent producers and creators who would find themselves more at home with the Republican Party than with the Democrats?

The answer from the Democratic and Republican fund raisers who troll Southern California for dollars is that, by and large, the fundamentals are unchanged. Studio money, like that of any major business, follows the national political currents, which means for now that higher profile Republican congressional candidates or those with seats on key committees can count on solid contributions. But the basic fund-raising rules hold true — Republicans find their California money in Orange County and Democrats find it in Hollywood.

Republican political operatives do detect a greater willingness of Hollywood compatriots to publicly be identified with the party, a change, they say, from a climate in which actors in particular feared they would risk jobs if their true political affiliations were known. Democratic political operatives insist that the bias was more imagined than real and that closet Republicans were simply unwilling to appear "different" in a community that remains overwhelmingly Democratic.

As for celebrity firepower, Republicans are still confined to trotting out the likes of Charlton Heston, Arnold Schwarzenegger, Sylvester Stallone, Bruce Willis and Tom Selleck, while the Democrats retain the advantage of a more dazzling and diverse superstar lineup. It's image, not money, here that counts, and Hollywood GOP activists like Chetwynd say that at the very least Gingrich and some of his congressional Republicans seem to understand that.

So what is it that bears watching as Republicans try to test the waters in Hollywood? Two things.

The first is Pete Wilson, whose relationship with the entertainment community exists somewhat independently from national GOP politics and who has gone out of his way to cultivate personal friendships with some of the industry's major contributors. Rosalie Zalis, who has been Wilson's liaison to women and Jewish groups, has recently been put in charge of cultivating Hollywood, and if Wilson has presidential ambitions four years hence, the connections will be important.

The second thing worth watching is the rapidly changing nature of Hollywood itself as the entertainment industry reconfigures to meet the multimedia age. Lew Wasserman, the chairman emeritus of MCA, was once the dominant Democratic figure in Hollywood, but as his role recedes, there are doubts that any single Democratic player can replicate his power and influence. That hardly suggests a liberal vacuum in Hollywood, but it does suggest opportunity for GOP political entrepreneurs looking for a toehold among the shifting alliances.

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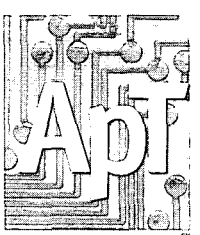

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Washington Notes

perspective

by Marc Sandalow

California and Congress

By now, President Bill Clinton's political allegiance to California is legendary. Whether driven by compassion for the state's 32 million constituents, or lust for its 54 electoral votes, Clinton has paid the state more attention and visits — 26 at last count — than any president before him. A parallel story, be it far less documented, is being played out on the Republican side, where party leaders are doing all they can for California representatives in Congress in time for the fall election.

While California is critical to the outcome of the race for the White House, it is also pivotal in the high-stakes battle for control of the House of Representatives. With almost one out of every eight seats in Congress belonging to the Golden State, what happens out West may well determine who controls the House.

As members left Washington after a blizzard of legislative activity earlier this month, it was far too early to know who will have the upper hand on Election Day. Democrats need to pick up 20 seats in the House to regain the control they enjoyed for 40 years prior to 1992. In June, as Dole was fleeing the Senate for cover and Congress seemed stuck in endless gridlock, it appeared that 20 House seats was quite doable for the Democrats. Now, after passing major welfare and health-care legislation, as well as raising the minimum wage, Republicans are confidently predicting that they will actually strengthen their majority.

Whatever the outcome, California will play a pivotal role. There are nearly a dozen seats being seriously contested, and there is a great opportunity for one party or the other to make considerable gains.

Currently, the state's congressional delegation is equally divided between 26 Democrats and 26 Republicans. In their worst nightmare, Republicans could lose as many as six of those seats. In their wildest fantasy, they could pick up as many as five. (The most vulnerable Republicans seats appear to be those now held by Frank Riggs of Napa, Andrea Seastrand of San Luis Obispo, Bill Baker of Danville, Carlos Moorhead of Pasadena, Steve Horn of Lakewood and Brian Bilbray of San Diego. The most vulnerable Democratic seats now belong to Anthony Beilenson of Woodland Hills, George Brown Jr. of Colton, Vic Fazio of Sacramento, Sam Farr of Monterey, and Jane Harman of Los Angeles.)

Using many of the same tricks that Democrats employed when they were in power, the Republican leadership is coming to the rescue. Speaker of the House Newt Gingrich's recognition of California's political importance was evident in a widely leaked memo to the chairman of the House Appropriation Committee's 13 subcommittee, known on Capitol Hill as the 13 cardinals. Gingrich listed seven factors the cardinals should consider when passing a bill, including "Will it help California?" No other state was mentioned. "The speaker recognizes that California holds a very special place," said a Republican staffer.

It is hard to quantify precisely what help that recognition has brought. There have been several highly publicized spending programs — a $40 million veterans hospital in Rigg's district, $9.6 million for beaches in Bilbray's district, $12 million for Los Angeles Harbor — that some have characterized as political pork. But it is impossible to say that they would not have been included on their own merits.

It is easier to quantify the amount of fund-raising help the party leadership has given California. Gingrich, despite his high negative ratings, has helped raise money for more than half of the state's incumbent Republicans. He was there last winter, again in spring and before convention. In addition to Gingrich, Majority Leader Dick Armey and Majority Whip Tom DeLay have been in the state raising money for either individual candidates or the state Republican Party.

The GOP leadership has also used their scheduling powers to stage helpful events for California members. Last month, for example, Democrats scratched their heads when they heard there would be a congressional hearing on offshore oil drilling off the California coast. While this is an important topic to most Californians, it is not one that is currently the subject of much debate. There is no pending legislation. Attempts to weaken the current drilling moratorium were defeated last year. Nevertheless, Riggs and Seastrand — both of whom have been attacked by environmental groups for abysmal voting records — each made the case for defending the state's seashores before a crowded table of reporters.

The GOP's attention to California began as soon as the party took control of Congress. Gingrich immediately formed a California Task Force, the only state with such a panel. The task force is comprised of 26 members — all Republican. The group meets every Thursday for lunch, and led by Representative David Dreier of Covina, it has pushed a wide range of legislation, ranging from measures cracking down on illegal immigration, to high tech development, to B-2 bomber production.

The effort to bolster the California delegation includes persistent pressure on Bob Dole to take the state seriously. After spending almost no time in California during the primaries, Dole has made four trips in recent months, insisting each time that he will rigorously contest Clinton for the state's 54 electoral votes. "We haven't abandoned California," said one official in the campaign. "And we wouldn't tell you if we had."

That's because everyone remembers what happened in 1992 when Bush conceded the state, and Democrats rolled from the top of the ticket to the bottom. Riggs, who lost his race to Dan Hamburg, complained privately that it cost him the election. Everyone recognizes that California is too important to repeat that mistake.

Marc Sandalow is a Washington, D.C., reporter for the San Francisco Chronicle.

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It began as a simple promise to create a better life for ourselves and those who follow. A promise to clean the air, so Californians could see the mountains. Drink the water. And breathe fresh air.

And so, in 1989, ARCO pioneered EC-1, the world's first low-emission gasoline. Not long after, they developed EC-Premium. Together, these fuels have eliminated 500 million pounds of automotive pollution in Southern California. And the air is the cleanest it's been in 46 years.

In 1991, working in conjunction with the California Air Resources Board, ARCO developed EC-X. Used in today's low-emission vehicles, this clean-burning fuel helps eliminate 98% of hydrocarbon emissions compared with the vehicles of 25 years ago. It is now available throughout California. As a result, California is minus 3,800,000 pounds of pollution a day. Californians have a fuel that reduces air pollution without disrupting the lives of those who use it. And everyone can breathe a little easier, thanks to a promise kept by ARCO.

ARCO

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